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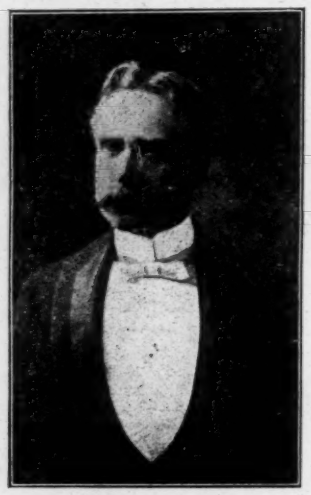

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EXCHANGE of early numbers of the REVIEW continues from day to day. Many of our correspondents during the last month or so have been helped to gather together many back copies, and some have actually been able to piece out a complete set of the volumes. Those who have duplicate volumes or copies to dispose of, as well as those who are in search of missing volumes or odd numbers, are invited to write now, while the movement is brisk. At the end of the **1917 YEAR BOOK** the list of the numbers we can supply and the list of missing copies are printed. If you will turn to these lists to-day they may be of mutual benefit.

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The price of printing-paper has more than doubled itself within recent months, as is doubtless well known to all our subscribers. Notwithstanding the resultant higher cost of the production of the REVIEW, the present subscription rate will be maintained.

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THE ECCLESIASTICAL REVIEW

SIXTH SERIES.—VOL. VI.—(LVI).—FEBRUARY, 1917.—NO. 2.

THE NOMOCANONICAL LITERATURE OF THE COPTO-ARABIC CHURCH OF ALEXANDRIA.

THE ecclesiastical jurisprudence of the Oriental Churches, as it presents itself in our modern times, is quite different from that of the Western Church of to-day. In the first Christian centuries, of course, there was only one law, and consequently only the one same jurisprudence in all the several branches of the one Church. Matters began slowly to change when the Christological heresies came into existence. An essential change, however, was brought about by the great Greek schism. While the Western Church had always in the autonomous Pope a very effective means of developing ecclesiastical law and of modernizing it in accordance with the new political, economical and social conditions and the progress of civilization, the Oriental Churches had to remain in a state of relative stagnation. General councils which, according to the Greek doctrine, alone were capable of building up the law, were practically impossible. On the other hand, the Patriarchs had no right nor authority whatever to change any law, which was given by a general council or established by tradition for the universal Church.

It is, therefore, quite natural that the whole Oriental jurisprudence was confined to collecting the ancient legal sources and systematizing them. The only thing that was left to the ecclesiastical superiors and patriarchal or metropolitan synods was to draw general principles from the established laws, to apply them to similar problems, and, in case of emergency, to establish administrative orders.

The ecclesiastical legal literature of the Eastern Church comprises, therefore, three different kinds of works: first, the collections of ancient laws, then the protocols of administrative orders of the ecclesiastical authorities, which often were adopted in other dioceses and thus generalized, and finally the so-called Nomocanons.

Nomocanon in its strict sense denotes a manual of jurisprudence which contains the civil νόμοι, and at the same time the ecclesiastical κανόνες. But there is another and now more common use of the word in so far as by Nomocanon are designated all manuals of law which *systematically* contain any sources, not considering whether or not they belong to both groups, νόμοι and κανόνες. The specific difference of this definition in opposition to the collection of canons is to be found only and entirely in the systematic arrangement and treatment of the sources in regard to the subjects, not the authors. Nomocanon in this article is generally taken in this sense, although almost all of the Arabic Nomocanons more or less contain both νόμοι and κανόνες.

The most interesting works from a practical and juridical point of view, without any doubt, are these Nomocanons. They show the spirit in which the ancient laws were applied, and the modifications which life, with its ever changing conditions and problems, had to demand of the oftentimes antiquated canons and laws. Nothing is more apt to afford a real insight into the whole civil and religious life of communities, families, and individual persons. It is therefore not astonishing that we find Nomocanons in all branches of Eastern Christianity, as in the Greek Church, the *Nomocanon quinquaginta titulorum*,[1] and the still more famous *Nomocanon quattuordecim titulorum*,[2]

[1] Sometimes wrongly called Nomocanon of Johannes Scholasticus. It was made under the reign of Justinus II (565-578) and completed by the addition of later canons. In the ninth century it was translated into Slavic, possibly by St. Methodius, and used as legal norm up to the thirteenth century and later. The Greek text is published in G. Voelli et H. Justelli's *Bibliotheca Juris Canonici Veteris*, Paris, 1661, II, 603 ff, and Pitra, *Juris Ecclesiastici Graecorum Historia et Monumenta*, Rome, 1864-1868, II, 416 ff. For this and the other Greek Nomocanons and their translations and adaptations consult the excellent work of the Orthodox Bishop of Zadar, Nikodemus Milasch, *Das Kirchenrecht der Morgenländischen Kirche*, übersetzt von A. R. von Pessic. Mostar, 1905, and the literature there referred to.

[2] Often wrongly called Nomocanon of Photius. The first redaction of this Nomocanon was made at the time of Sergius, Patriarch of Constantinople

and a good many others of later date. Also in the Semitic Christian world every Church had one or more Nomocanons of its own. So, the Maronites had that of Archbishop David (about 1060 A. D.),[3] the Nestorian Syrians that of 'Abhdîšô' (commonly called Ebed Jesu), the Bishop of Nisibis-Ṣôba'[4] and the Jacobite Syrians that of the famous Abū 'l-Farag,[5] who is better known under the name of Bar Hebraeus.[6]

It is among the Copts in Egypt that the nomocanonical literature was most abundant. Here we count, besides a few related works,[7] no fewer than five Nomocanons,[8] mostly of re-

(610-638), its second redaction in the year 883. Later on, it was approved officially and generally and remained up to the present the authentic Code of all branches of the Orthodox Church. Published in Voelli et Justelli, *Bibl. Jur.*, II, 785 ff, Pitra, *Jur. Eccl. Hist. et Mon.*, II, 445 ff and especially in Rhalli and Potli, *Syntagma Canonum*, etc., Athens, 1852-1859, I, 5 ff.

[3] Originally written in Syriac, but preserved only in an Arabic translation in the Karshûnī manuscript syr. 223 of the National Library at Paris and in an extract Vat. syr. 220, 10.

[4] Died 1318 A. D. His Nomocanon is still preserved. The text and the Latin translation (of Aloysius Assemani) were published by A. Mai in the 10th vol. of the *Scriptorum Veterum Nova Collectio* (text pp. 169-332, translation pp. 23-168, both in the first half). Chabot in his *Synodicon Orientale*, Paris, 1902, pp. 609 ff., describes another work of 'Abhdîšô: *Regulae judiciorum ecclesiasticorum*, which also seems to be a kind of Nomocanon.

[5] Died 1286 A. D. His Nomocanon is preserved in the original Syriac and in the Arabic translation in many manuscripts. The Syriac text has been published by Bedjan, *Nomocanon seu jus ecclesiast. et civile Gregorii Barhebraei*, Paris and Leipzig, 1898, the Latin translation (of Aloysius Assemani) by A. Mai, loc. cit. X, pp. 1-268 second part.

[6] Also the Arabic-speaking Christians of Spain possessed a Nomocanon in Arabic, written by a priest Vincentius in the year 1087 of the Spanish era i. e. 1049 A. D. Cf. the *Bibliotheca Arabico-Hispana Escurialensis* by Michael Casiri, Madrid, 1760, vol. I, pp. 541 ff.

[7] For instance, parts of the *Liber demonstrationis de canonibus, qui vigent, et de constitutionibus, quae obsoletae sunt*, by Abū Sukr Buṭrus Ibn ar-Râhib Abī 'l-Karâm, Vat. ar. 116 and 117 (A. Mai, loc. cit. vol. IV, pp. 235-239), and the *Liber de officiis ecclesiasticis* by Kyrillus Ibn Laqlaq, the 75th Patriarch of Alexandria, in Vat. ar. 117 fol. 197-206 (A. Mai, IV, 239-240) and others. It is sometimes difficult to state exactly, whether or not a book of an Oriental author belongs to the legal group, because many subjects which we certainly should treat in Sacramental or Moral or even Dogmatic Theology, are treated by them in Canon Law.

[8] As a matter of fact, there were more Nomocanons in the Coptic Church of Alexandria; at least six. But at least one of them, that of Gabriel Ibn Turaik, an Alexandrinian patriarch, has been lost. The report of Abū 'l-Barakât in his *Lampas Tenebrarum, ch. 5*, where he also copies the titles of the chapters and extracts of the Nomocanon (translation in Riedel, *Kirchenrechtsquellen des Patriarchats Alexandrien*, Leipzig, 1900, p. 61), seems to intimate, that the work of Gabriel Ibn Turaik was fairly comprehensive, since it contained 72 chapters and 10 extracts from the so-called Books of the Kings and other writings. Gabriel Ibn Turaik generally is said to be the 70th patriarch of Alexandria and to have reigned from 1131 to 1145 A. D. According to Abū 'l-Barakât, however, he was

spectable size. They exhibit some specific features not found in those of the other Oriental Churches. Jacobite heresy and the invasion of Egypt by the Arabs eliminated in a comparatively short time the influence of the official Church of the Eastern Roman Empire and forced upon the legal literature a development of its own. This singular fact resulted in the preservation of very ancient sources that would have been otherwise forgotten and lost. Moreover it opened the way to many strange falsifications, for ancient laws, having developed and changed in the course of time and become sacred by tradition, were gathered under the name of an ancient authority. A perfect parallel phenomenon in the Latin Church are the *Decretalia Pseudo-Isidoriana*, which, although now regarded as a forgery, were believed and used authoritatively as official sources of Law. Exactly like these *Decretalia*, the Oriental falsifications were the expression of the ecclesiastical discipline in force and sanctioned by long and constant tradition. Another interesting feature is the widespread influence some of them exerted. The Abyssinian Church, being practically dependent on the Coptic Church of Egypt, received its laws and legal literature from Alexandria. Thus it happened that some of the Nomocanons were translated into Abyssinian and that one of them became the norm for the inner life of the Abyssinian Church and, owing to the intimate union of Church and State, the law of the Abyssinian kingdom.

The first Nomocanon of the Coptic Church is that of Abū Ṣulḥ. His full name, according to the manuscripts, is Abū Ṣulḥ Yûnus (or Joannes) Ibn 'Abd Allâh eš-Sadîd Ibn Bânā.[9] Nothing is known so far about his life or person. Assemani [10] calls him an Armenian, but apparently without any foundation, mistaking him for Abū Ṣâliḥ (or also Abū Ṣulḥ?), the sup-

the 71st patriarch and reigned at a later time, since he has him publishing canons to the clergy of the Alexandrian Church in the month of Ba'ûna of the year 865 M = June, 1149 A. D. Maqârā, in his collection of canons, also calls him the 70th patriarch of Alexandria (cf. Vat. ar. 150, fol. 99 r a), but dates his canons to the clergy of the Alexandrian Church on the month of Ba'ûna of the year 870 M = 1154 A. D. (Vat. ar. 150, fol. 102 r a, in agreement with the Berlin manuscript Diez A. quart. 107, fol. 191 a).

[9] According to the manuscript ar. 252 of the National Library in Paris, or Ibn Yânā, according to the manuscript Vat. ar. 634 of the Vatican Library; the manuscript Vat. ar. 150 omits the diacritical point and therefore the name may read either way or Nânā, as Assemani reads it twice in Mai IV, p. 281.

[10] In Mai, loc. cit., V, p. 281.

posed author of the important book on the Coptic Churches and Monasteries,[11] who flourished about the beginning of the thirteenth century. As to Abū Ṣulḥ's time, one thing is certain: he must have lived not later than the beginning of the eleventh century. This follows from a colophon at the end of his Nomocanon in Vat. ar. 150, fol. 121 b, where we are informed that this copy was made from an original, finished on the 27th day of the month of Ramaḍân, 419 of the Hegira = the 12th day of Bâba, 745 of the era of the Martyrs = 1028 A. D. Whether this original mentioned was the real original, coming from the hand of Abū Ṣulḥ, or only an early copy, is quite uncertain; Abū Ṣulḥ, therefore, may belong to even an earlier period, say, the tenth century. Indeed, this is quite probable, since Abū Ṣulḥ in his Introduction to his Nomocanon emphasizes the fact that he is *translating* the Canons from the Coptic. Thus he may be, and probably is, the first translator of Coptic Canons into Arabic, which will justify us in locating him about 900-950 A. D.

W. Riedel, in *Kirchenrechtsquellen des Patriarchats Alexandrien*,[12] claims that the Nomocanon of Abū Ṣulḥ has been lost, only the introduction to it being preserved. Fortunately, however, this is wrong. It is true, in the beginning of the Berlin manuscript Diez A. quart. 117, on fol. 18-25, only the introduction, not the Nomocanon itself, is contained. I found it, however, in not fewer than three manuscripts (ar. 150 and ar. 634 of the Vatican Library, and ar. 252 of the National Library at Paris).

In his introduction, after having justified the composition of the Nomocanon, Abū Ṣulḥ refers all canonical legislation to the Apostles, and vindicates their right to make laws and sanction them. A German translation of the introduction is found in Riedel, mentioned above. Since the Nomocanon itself is not known at all and never has been described, I add a short account of its contents:

[11] Cf. Abu Ṣâliḥ, *The Churches and Monasteries of Egypt*, etc., publ. and transl. by B. T. A. Evetts and A. J. Butler, Oxford, 1895. The real author, however, is said to be Ibn Duqmâq; cf. *Description of Egypt*, published by K. Vollers, Kairo, 1893, from the manuscript in the Khedivial Library.

[12] Leipzig, 1900, pp. 80-81.

Collectio Canonum Abū Sulh Yûnus ʿAbd Allah es-sadîd Ibn Bânā.

A. Introductio. Vat ar. 150. fol. 114 r a.

B. Nomocanon. fol. 116 r a. 1. De electione et consecratione episcopi.—2. De officio episcopi.—3. De suspensione.—4. De translatione clericorum.—5. De susceptione clericorum suspensorum et peregrinantium.—6. De simonia.—7. De reiectione episcopi.—8. De synodis.—9. 10. De accusatione episcopi.—11. De administratione ecclesiae.—12. 13. 14. De abstinentia ab Eucharistia, de moribus clericorum, et de clerico peccatum confitente.—15. De separatione a congregatione.—16. 17. 18. De causis depositionis episcopi.—19. 20. De aetate canonica.—21. De litteris testimonialibus.—22. De potestate Chorepiscopi.—23. De libris in ecclesia legendis.—24. De temporibus orationis.—25. De oblationibus et de loco liturgiae.—26. 27. De ieiunio et feriatione diebus festis.—28. De quadragesima.—29. De prohibitione liturgiae tempore quadragesimae.—30. De iis qui ab Eucharistia excluduntur, et de baptismate.—31. De consecratione et ordinatione Neophytorum.—32. De communicatione in sacris cum Judaeis etc.—33. 34. De acceptione baptismatis et Eucharistiae ab haereticis.—35. De irregularitatibus.—36. De matrimonio secundo clericorum.—37. De repudiatione uxoris.—38. 39. De servis et dominis eorum.—40. De commemoratione mortuorum.—41. De usu vestium sexus alterius.—42. De relictione filiorum et parentum status monastici ingrediendi causa.—43, 44. De apostatis.—45. De nuptiis secundis et tertiis.—46. De retentione adultricis.—47. De egressu e monasterio.—48. De raptu.

C. Canones et sectiones e variis Patribus et Conciliis et scriptis pseudo-apostolicis (fol. 118 v a-122.) videlicet: Nicaea, Basilius, Didascalia, Liber Clementis secundus, Apostoli et Paulus, Nicaea, Cyriacus, et synodus ad eius installationem convocata, Timotheus Alex., Gregorius Nyss., Ancyra, Nicaea, Gregorius Nyss., Cyriacus Ant.

Abū Ṣulḥ's Nomocanon is remarkable on account of its shortness and conciseness, this probably resulting from the fact that his is the first attempt in the nomocanonical literature. Unlike the later nomocanonists, he generally abstains from quoting verbally the canons on which he bases his translations, but after a general quotation of the sources he condenses their contents in a short sentence. The following translation of the first section may serve as illustration.

Summa[13] prima. Canon Apostolorum duodecim et concilium Nicaeae et Synodus Antiochiae.[14] Non licet Patriarchae consecrare Episcopum nisi electione gregis habita et voluntate eius expressa; si autem consentit maior numerus et opponunt duo vel tres, praevaleat opinio maioritatis eorumque decisio. Episcopus autem ne consecretur manu Episcopi (unius); si autem faciunt (ita), separentur (ab Ecclesia) et is cui imposita est manus et is qui eam imposuit.

The Nomocanon following next in time is most probably that of Michael of Damyâṭ at the end of the twelfth century. Anbā Michael, (said to be the first who used the title of Metropolitan of Damyâṭ) is well known as author of a good many books, some of which are lost.[15] First of all, he wrote a controversial treatise against the Coptic reformer Marqus Ibn al-Qunbar, which according to Renaudot,[16] Neale[17] and Riedel, p. 89, is still preserved. Ten canons, also written by him, are found in the Collection of Canons of Maqârā. The Vatican Library still possesses two other writings of his on the Laws and Rites peculiar to the Jacobite Copts, the Vat. ar. 158 (mutilated in the middle)[18] and the Vat. ar. 159 (mutilated in the end). Finally, Vat. ar. 158, fol. 14b-24b contains a letter of Michael, addressed to Marqus, after he had left the Jacobites and joined the Melchites. A report of Michael of Damyâṭ on Marqus Ibn al-Qunbar is preserved by Abū Ṣâliḥ (loc. cit., pp. 34 ff.).

As to the controversial work against Marqus Ibn al-Qunbar, Riedel and Neale omit entirely to indicate where it may be found; Renaudot, from whom both borrow their remark, in-

[13] The sections are called "Summa" as giving a short condensed résumé of the canons referred to.

[14] i. e. Can. 1, 72, 73 of the 81 Apostolic canons; can. 13, 21, 52, 56 of the 71 Apostolic canons; can. 1 of the 56 Apostolic canons; can. 76 of the Oriental canons of the Council of Nice; can. 4 of the Greek canons of the Council of Nice; can. 19 of the Synod of Antioch.

[15] Cf. the list in Abū 'l-Barakât's *Lampas Tenebrarum*, Ch. 7. Published and translated by Riedel in *Nachrichten der Kgl. Gesellschaft der Wissenschaften zu Göttingen*, Phil.-hist. Klasse, 1902, p. 635-706. An Extract in Vansleb (= Wansleben), *Histoire de l'Église d'Alexandrie*, etc., Paris, 1677, Part 7.

[16] Eusebius Renaudot, *Historia Patriarcharum Alexandrinorum Jacobitarum*, Paris, 1713, p. 552.

[17] John Mason Neale, *A History of the Holy Eastern Church. The Patriarchate of Alexandria*, London, 1847, vol. II, p. 264.

[18] Fol. 1 and 2 of the first Kurâs are preserved, fol. 3-10 of the first Kurâs and fol. 1-9 of the second Kurâs, in summa 17 foll. are missing, fol. 10 of the second Kurâs and the rest are preserved.

forms us that it is preserved " in amplissima canonum collectione ", viz. the Collection of Maqârā. Renaudot's information, however, is erroneous. The piece, which is contained in Maqârā's Collection of Canons, is an "Abrégé " of Michael's canons, as de Slane, translating its title in his *Catalogue des Manuscrits Arabes de la Bibliothèque Nationale*, Paris, 1883, p. 67, terms it correctly. The original, a compendium of which it is, is either the piece contained in Vat. ar. 159, fol. 3b-19a incl. (which is more probable) or the work contained in Vat. ar. 158, fol. 1-13a. Both are very similar to each other, but, contrary to Assemani's claim, by no means identical, arrangement and phraseology being different. Since also the other statements of Assemani in Mai, IV, pp. 297-298 and pp. 299-300 are wrong or misleading, I give here an exact account of the contents from the manuscripts themselves.

I. Vat. ar. 158. 1) On the sign of the cross with one finger only and from the left to the right (incomplete in the beginning), fol. 2a-3a. 2) On the taking off the shoes in the churches, fol 3a-6a. 3) On the circumcision, fol 6a-9a. 4) On the obligation of receiving holy communion, fol 9a-10a. 5) That the Holy Sacrament shall not be concealed (= preserved in the Tabernacle) and that it shall not be carried from place to place, fol 10a-12b. 6) On the incense with the Sandarûs (resin of thuia), fol 11a-12b. 7) On the sucking of water after the Communion (to rinse the mouth) and the covering of the Holy Sacrament with beans and lupines (by eating them), fol 12b-13b.

II. Vat. ar. 159. It starts with an introduction (fol 3b-5b), treating of the oral confession to a confessor (fol 4b-5a), the fasting from fish in the first week of lent (fol 5a-5b), the fasting on the feast of the 40 Martyrs (fol 5b) and on the feast of Annunciation (fol 5b), the genuflexion on the day of Pentecost (5b-6a), the nursing of the hair and the use of frankincense (fol 6a) and several other things (fol 6b). At the end of fol 6b and the beginning of 7a, there follows a short index of the subjects of the treatise proper. They are as follows: 1) sign of the cross with one finger from the left to the right, 2) marriage between near relatives, 3) abrogation of the confession to the confessor, 4) taking off of the shoes in the churches, 5) shaving of the hair, 6) circumcision, 7) obligation of receiving Communion during the Divine Service, 8) abrogation of the Holy Sacrament and of carrying it from place to place, 9) sucking of water after Communion, 10) eating of beans and lupines after Communion, 11) incense with the Sandarûs and abrogation of frankincense. Only

a few of these titles are extensively treated of, viz. No. 1 on fol 7b-9b, No. 2 on fol 9b-12b, No. 5 on 12b-15a, No. 3 on fol 15a-19a, all the remaining parts being lost.

III. The Compendium as preserved in the Collection of Maqârā contains all Nos mentioned above in Vat. ar. 159 with exception of No 9, which is omitted; only the arrangement is partly different. The Nos 1, 2, 5, 3, in Vat. ar. 159 extensively treated, are shortened very much, which fact justifies the conclusion, that also the other Nos have been shortened in the same fashion. The arrangement is this (the first number is that of the Compendium, the second that of Vat. ar. 159): 1=1, 2=4, 3=2, 4=5, 5=3, 6=6, 7=7, 8=8, 9=11, 10=10.

The chief work of Michael of Damyât,[19] however, and the one which interests us most, is his comprehensive Nomocanon. It is preserved in the Berlin manuscript Diez A. quart 117, which copy was finished according to the colophon on fol. 422b, the 20th day of the Abîb 927 M=21st day of the Muḥarram 607 H=1211 A. D. A modern copy is found in the National Library at Paris, ar. 4728 (cf. *Revue de l'Orient Chrétien* XIV 1909 p. 177). A third manuscript is extant in the Vatican Library, Vat. suppl. ar. 907 (123), written in the fifteenth century.[20] But, as Monsignor Ratti, the Prefect of the Vatican Library, states, the codex is covered on the recto and verso of every folio with a kind of protective paper. This paper, at some future time, may become white and transparent, but, for the time being, is yellowish and semi-opaque, so that the manuscript cannot be photographed in its present condition.[21] Johann Michael Wansleben, the famous German traveller and purchaser of Oriental manuscripts for the Royal, now the National, Library at Paris, mentions the acquisition of another copy of this Nomocanon in the year 1664, which, however, is now missing.

The Berlin manuscript Diez A. quart. 117 begins with three introductions, 1) the introduction to the Nomocanon of Abū

[19] Abū 'l-Barakât mentions another work of Michael of Damyâṭ in 8 chapters and 24 sections under the title: "*The desire of him who seeks the redemption and salvation of his soul on the day of retribution*" which work apparently is lost. Cf. Riedel in the *Nachrichten*, etc., pp. 654 ff. (text) and 687 ff. (translation).

[20] Cf. Riedel in the *Nachrichten*, etc., p. 688, 1.

[21] I owe this information to the kindness of my esteemed colleague Dr. Hyvernat, who, on my request, was good enough to ask Monsignor Ratti for photographs of this manuscript.

Ṣulḥ, 2) the introduction which commonly is found before the so-called Thirty Laws of the Apostles and 3) an introduction of Michael of Damyâṭ himself. A German translation of these three introductions is given by Riedel, loc. cit., p. 81 ff., 169 ff. and 92 ff., which, although not very exact, may be consulted with profit.

The first two introductions are omitted in the Paris manuscript ar. 4728. They belong, however, to Michael's original work, since the authority of the modern Paris copy is proved by its numerous additions, omissions, misplacements, rearrangements and corrections not to be of equal weight with the Berlin manuscript. In regard to the introduction of Abū Ṣulḥ, every reasonable doubt is excluded by the statement, which the copyist of ar. 252 of the National Library at Paris on p. 691 inserted into his text: "He (i. e. Abū Ṣulḥ) said this preface, and the book of Anbā Michael has added it," and by the first-hand remark at the margin in fol. 114 a of Vat. ar. 150: "This preface occurs also in the book of Anbā Michael".[22] If this first introduction must be considered as pertaining to the work of Michael, it seems more than probable, not to say certain, that the introduction to the Thirty Laws of the Apostles also was inserted by Michael himself in his Nomocanon.

It is unnecessary to add a detailed description of the contents of the Nomocanon, as it may be found in Riedel, loc. cit. pp. 91-115.[23] The sources Michael of Damyâṭ uses, are: The Holy

[22] These two remarks are interesting in so far as the mistakes of the writer of ar. 252 of the Nat. Library at Paris form a striking proof for Vat. ar. (149 and) 150 being the real original of the Paris manuscript ar. 252.

[23] A few corrections, which I just happen to remember may here be added. "Einleitung" always instead of "Hauptstück"; No 2: 43 instead of 33; No 7: "Ackerland" instead of "Stätte"; No 21: "I Thess. 5, 14-18" instead of "I Thess. 4, 12-18"; No 21, c add: "Sno 31"; No 21, p: "I Ap. 33 instead of 72"; No 21, u: "aufgenommen werden" instead of "kommunizieren"; No 33: "mag in Gefahr des Todes" instead of "soll bei Todesstrafe"; No 34, d: perhaps "Bas. 78" instead of "Bas. 68"; No 35, 1: "Didascalia 6, 7, 8" instead of "Didascalia 6, 8"; No 35, m: "col. 498" instead of "col. 489"; No 41: "(col. 499, Nr. 14)" instead of "(col. 497, Nr. 10)"; No 41, b: "das Nehmen von Frauen und Schwestern (= subintroductae)" instead of "die Enthaltung von Frauen und Besitz"; No 41, f: "und dies wieder rückgängig machen" instead of "wieder in Lust verfallen"; No 41, k: "Nachkommenschaft" instead of "Besitztümer"; No 46: "*χειροτονία*" instead of "*χωρεπίσκοποι*"; No 47, h: "I Tim. 3, 11" is more probable than "I Tim. 2, 12"; No 49, e: "übrig bleiben" instead of "bevorzugt werden"; No 490: "beizusteuern" instead of "beizuwohnen"; No 49, q: "die Liturgie feiert" instead of "hinzutritt"; "zur Ader lassen" instead of ". . . ?, nicht . . . . ?,"; No 56 cancel "und der Jungfrauen" and add after "werden": "und über die Erstlinge";

Scripture, Didascalia, the different collections of the Canons of the Apostles (with 81, 71, 56, 30 canons, the so-called Old Testament Traditions and another collection), the Councils of Ancyra (314 A. D.), Carthage (between 313 and 323), Nicaea I (325), Constantinople I (335), Antiochia (341), Laodicea (between 343 and 381), Sardica (343/4), Gangra or Gangras (second part of the 4th century), Ephesus (431), the canons of Hippolytus, Pope of Rome, Basil the Great, Chrysostom, Gregory of Nyssa, Epiphanius, Patriarch of Constantinople, (520-535)=Novella VI (cf. *Novellae* in Schöll's recension, Berlin, 1895, p. 35 ff.), Cyriacus the Great, Patriarch of Antioch, (793-817), Gabriel Ibn Turaik, Patriarch of Alexandria, (1131-1145) and the so-called Canons of the Kings i. e. Roman Emperors (cf. Bruns-Sachau, *Syrisch-Römisches Rechtsbuch*, Leipzig 1880).

In order to illustrate the manner in which Michael of Damyâṭ composed his Nomocanon, I give here the translation of its first chapter: "*Caput primum. De eo qui audet aliquid ex eis dissolvere quae constituerunt Patres et Defensores Fidei.* Dixit Evangelium inclitum: (follows Luke 11, 28). Idemque dicit: (follows John 8, 17) Dixit Petrus secundum id quod canon 20 e canonibus 71 continet: (follows canon 20 of the 71 canons of the Apostles).[24] Et dixit Paulus in epistula ad Romanos (follows Rom. 3, 34). Et dixit synodus Antiochena canon 1 (follows canon 1 of the council of Antioch). Et dixit synodus Constantinopolitana canon 1 (follows canon 1 of the council of Constantinople I). Et dixit synodus Ephesina canon unicus (follows the canon of the council of Ephesus). Et dixit Clemens de defensione fidei: Dicit magister meus Petrus mihimetipsi Clementi: Defende fidem et disputa de ea in veritate stringente et argumentis e libris sanctis Dei, nam ei qui defendunt eam et disputant de ea, hereditabunt regnum Dei, et dimica gladio ferreo contra negatores infideles qui non credunt in Christum, neve acceperis facies neve sumpseris dona."

No 62 (344b) 4: "des Sohnes seines Sohnes" instead of "eines Sohnes seines Vaters"; No 68: "Über den, der die Sklaven Auflehnung gegen ihre Herren lehrt" instead of "Wenn ein - - - weiss".

[24] Cf. Jean et Augustin Périer, *Les cent vingt-sept Canons des Apôtres*, Paris, (Tome VIII, fasc. 4, of Graffin and Nau's Patrologia Orientalis) pp. 589-590. The other Arabic sources, quoted by Michael of Damyâṭ, have not yet been published.

The Jansenistic Renaudot, loc. cit. p. 552, judges Michael of Damyâṭ very harshly. He calls him a "mediocris theologus" and says about his controversial writing against Marqus Ibn al-Qunbar: "ea disputatione vix quidquam insulsius potest excogitari". The Catholic Stephanus Evodius Assemani (in his *Bibliothecae Mediceae-Laurentianae et Palatinae Codicum MSS orientalium Catalogus*, Florence, 1742, p. 100) seems not to esteem him very highly either. On the other hand, the Protestant Riedel, loc. cit. pp. 89 and 90, is almost enthusiastic over him. To do justice to Michael of Damyâṭ, who stands out prominently in the history of he Jacobite Coptic Church of Alexandria as defensor of her creed and peculiarities, we ought to set aside our religious convictions and judge him from his own point of view on the quality of his works alone. To an impartial judge, there will hardly be any doubt whatever, that the intellectual qualification of Michael and his ability as independent thinker and writer are not of an exceptionally high grade. His works are entirely of the average standard to which we are accustomed among Oriental Christian writers, and thus he deserves neither special blame nor special praise. As a compiler, however, he should be given every credit for his indefatigable diligence and his laborious zeal. It is true, his Nomocanon cannot stand a comparison with that of Ibn al-'Assâl or any other canonist, Abū Ṣulḥ not excluded, but on the other hand, his Nomocanon certainly is valuable on account of its comprehensiveness and the innumerable literal quotations from the sources, some of which would otherwise have been lost.

By far more interesting than the Nomocanon of Michael of Damyâṭ is another one with the title *Medicina Spiritualis*. which, as it seems probable, was written at about the same time. The Arabic manuscripts almost without an exception, omit any indication of the author. Only one manuscript as far as known to-day, preserved in the Mount Sinai Convent, gives as author one Marqus Metropolitan of Damyâṭ. However, since a metropolitan of Damyâṭ with the name of Marqus is not known, the word "Metropolitan" most probably is but an erroneous addition of a copyist who thought it certain that an author, writing such a powerful and authoritative Nomocanon could not be a simple priest. The only Marqus of Damyâṭ, known as being qualified to be the author of such a work, is Marqus,

surnamed Ibn al-Qunbar.[25] There are strong internal reasons in favour of Marqus Ibn al-Qunbar's authorship. First of all, as Gildemeister in the description of the manuscript N 28 (88g) in the University Library at Bonn observes, Melchitic peculiarities are found in the Nomocanon in spite of its generally Jacobite appearance. This would apply very well to Marqus Ibn al-Qunbar, who was born and raised a Jacobite and joined the Melchites later on in life and perhaps only transitorily. The chief reason, however, is the polemic tendency which permeates the whole work.

Michael of Damyâṭ and Marqus Ibn al-Qunbar were the leading persons in the great controversy on certain customs in the Jacobite Church of Egypt, especially on the necessity of oral confession. The Coptic Church of Alexandria at the end of the twelfth century had practically given up the ancient custom of oral confession and substituted for it a kind of burning frankincense. Marqus Ibn al-Qunbar,[26] a most gifted and scholarly man, arose to introduce it again. In this he succeeded extremely well; thousands and thousands flocked to him and his companions to confess their sins. Michael, the Metropolitan Bishop of Damyâṭ, to whose diocese Marqus Ibn al-Qunbar apparently belonged, did all he could to counteract Marqus' preaching on this subject, but in vain. Therefore he had him suspended and excommunicated. The controversy, however, was by no means settled by this procedure, but went on on both sides until after the death of both Michael and Marqus.

[25] Ethiopic manuscripts of the *Faus Manfasâwī* (the Ethiopic translation of this Nomocanon) attribute it to Michael, bishop of Atrîb and Malîg, the renowned author of the *Synaxarion* of the Coptic Church. On the strength of these remarks, I established in my publication of the *Medicina Spiritualis* in the *Oriens Christianus*, VI, (1906) pp. 74 ff., that the time, when this Nomocanon was written, might be the twelfth century, and could not be later than the end of the thirteenth century. After finishing the publication, my attention was called by R. Dr. H. Gussen in Düsseldorf on the Rhine, to the fact that an Arabic manuscript, No. 203 in the Mount Sinai Convent, had the following title: *Liber, qui vocatur Medicina Spiritualis, ex canonibus Patrum et post eos Patris Marci, Metropolitae Damiettensis.* It is R. Dr. Gussen, who first believed this to be an indication of the authorship of Marqus Ibn al-Qunbar.

[26] According to the reports of his adversaries, Michael and Abū Sâlih, his full name was Marqus aḍ-Ḍarîr Ibn Mauhûb Fahîr Ibn al-Qunbar. It is not altogether certain, that aḍ-Ḍarîr and Fahîr and even al-Qunbar are parts of his real name, since their meaning seems not to be fit to a proper name (Ḍarîr = blind, Fahîr = braggart, and Qunbar perhaps = inflation). Anyhow, it is amusing to see Michael of Damyâṭ always calling him Fahîr in his report.

With what result is not known; it is, however, remarkable, that aṣ-Ṣafī Ibn al-'Assâl, a Jacobite living shortly after, in the 51st chapter of the second part of his Nomocanon [27] agrees to the usefulness of oral confession and perhaps to its necessity in principle, but finds it practically unfeasible on account of want of conscientious and learned confessors. According to the reports of Michael's partisans which, unfortunately, have alone been preserved, Marqus became Melchite, but soon repented and asked for rehabilitation. This was granted to him, but only after he had promised not to preach the necessity of oral confession again. After his reconciliation, he relapsed, was again excommunicated, again became Melchite, repented again, asked again for rehabilitation which this time was refused, and died in the year 1208 in el-Quṣair, a monastery of his followers.[28]

Marqus aḍ-Ḍarîr Ibn Mauhûb Fahîr Ibn al-Qunbar was, according to Abū Ṣâliḥ, loc. cit. pp. 34 ff., a fertile writer. He is said to have translated Holy Writ from Coptic into Arabic; besides he composed the Tafsîr et-Tafsîr i. e. Explanation of the Explanation, as it seems, a commentary to his translation of Holy Writ or parts thereof, then a book called "The ten chapters" or "The ten chief matters", perhaps the book against which Michael of Damyâṭ wrote his treatise "De legibus et ritibus Coptis peculiaribus." Moreover there is ascribed to him a book "Kitâb el-Mu'allim wa 't-Talmîḏ i. e. book of the confessor and the penitent (not, as Evetts, l. c. p. 43 wrongly translates, book of the teacher and the disciple, the words mu'allim and talmîḏ being the technical terms for confessor and penitent.) Finally a work "al-Magmû' fîmā ilaihi 'l-Margû'; which perhaps has to be translated "Collection of controverted questions," not as Evetts, loc. cit. p. 43 does, "Collection of fundamental principles" and other works, the

[27] Cf. also ch. 55 of the *Collection of the Fundamentals of the Religion* by aṣ-Ṣafī's brother al-Mu'taman Abū Ishaq Ibn al-'Assâl (Girgis Philotheos 'Awḍ. *Al-Magmû' aṣ-Ṣafawī*, Kairo, 1908, p. 424) and ch. 97 of *al-Gauharat en-Nafīsa* by Yuhannā Ibn Zakaryā Ibn Ṣabâ' (published at Kairo, 1902).

[28] As to the controversy between Marqus Ibn al-Qunbar and Michael of Damyâṭ, cf. Renaudot, loc. cit. pp. 550 ff., Neale, loc. cit. II, pp. 261 ff. and the sources mentioned in Neale, p. 261, Note 1, especially Abū Ṣâliḥ, loc. cit., pp. 20-43. Unfortunately, all Arabic sources as to Marqus Ibn al-Qunbar's case are from the partisans of Michael of Damyâṭ and thus probably less trustworthy.

titles of which are not mentioned. None of all these works has been found with certainty up to the present. De Slane in his *Catalogue des manuscrits arabes de la Bibliothèque Nationale*, p. 48 treats of two manuscripts ar. 195 and 196 which have also the title "Kitâb at-Talmîḏ wa 'l-Mu'allim".[29] In spite of the similarity of the titles and contents, his book which has 23 chapters cannot be the same as that of Marqus Ibn al-Qunbar mentioned above, if the assertion found in its preface is true that sources of ar. 195 are translated from the Fathers by Kyrillus Ibn Laqlaq who became Patriarch of Alexandria in the year 1235 A. D. i. e. twenty-seven years after the death of Marqus Ibn al-Qunbar. There is, however, still the possibility that the author of ar. 195 and 196 incorporated Marqus Ibn al-Qunbar's work in his. As long as this cannot be decided by a careful study of the manuscript itself, I might be inclined to identify Marqus Ibn al-Qunbar's book of the Confessor and Penitent with our *Medicina Spiritualis*, if only Michael of Damyâṭ in mentioning Marqus' book, did not expressly add: in eight chapters, while the *Medicina Spiritualis* has forty-eight chapters.

The *Medicina Spiritualis* consists of two introductions (ch. 1 and 2), the Nomocanon and a long exordium (ch. 48). In the first introduction the author indicates the several reasons moving him to write his Nomocanon. The following short passage taken from the introduction expresses them in a nutshell. " Because I saw the children of the Church not caring for their salvation nor knowing the canons for the absolution of the sins, and (because) I saw the clergy and the confessors leading astray others and going astray themselves, since they do not know how to lead the faithful nor do they understand

[29] The main title, according to de Slane, seems to be: *Book of the confession and the work which frees the soul from the sin.* The description which is found in de Slane's Catalog and that of the manuscript Syr. 216 in Zotenberg, *Catalogue des Manuscrits Syriaques de la Bibliothèque Nationale*, Paris, 1874, p. 166/7 are not full enough as to make out whether or not the manuscript Syr. 216 contains the same work as Ar. 195 and 196. Henri Omont, *Les Missions Archéologiques Françaises*, Paris, 1902, 2nd vol., p. 923/4 has Wansleben describing the manuscript No 415, sent by him to the Royal Library at Paris, as follows: " Le Maître et le Disciple. C'est un livre qui dans 43 colloques explique tous les principaux points de la religion Chrétienne. Il est vieux et je l'ay achepté à Alep. L'autheur en est Thedao de Roha" (Thaddai of Edessa?). This work may perhaps be the same as Syr. 216, but must be different from Ar. 195 and 196, if the description of Wansleben is correct.

how to cure those who come to them, I felt myself moved to make one collection out of the multitude of canons so that confessors and penitents might take profit out of them and free themselves from their sins."

In the second introduction he proves the necessity of oral confession and the power of the priests to give absolution and offers a few general directions for the conduct of confessors. The exordium again contains much valuable advice to confessors and a comprehensive controversy on the necessity of oral confession, in which he ably refutes his opponent with arguments from Scripture, tradition and *ratio theologica.* I abstain from giving details of the contents of the Nomocanon, since the whole translation has been published by me in the *Oriens Christianus,* Rome VI-VIII, 1906-1908.

The work we are treating of, as a matter of fact, is a Nomocanon. Its aim, however, is not so much to teach dry canon law as to help confessors in rightly administering the Sacrament of penance. It is certainly a fine product of a pastoral mind, full of power, discretion and charity. In this it is far superior to the unpalatable legalistic work of Michael of Damyâṭ. One need only read the following beautiful remark in the last chapter, which serves as exordium: "De eis quae medicus i. e. confessarius scire debet. Primum omnium est, ne illum clementer tractet qui clementer tractandus non est, ne ipse incurrat responsibilitatem pro illius peccatis. Si autem sacerdos non ignorat fore ut peccator inclementer tractatus ex obedientia excidat nec se convertat, descendat cum eo usque ad infimum gradum, qui in poenitentiis haberi potest, et suscipiat eum sicut filius prodigus susceptus est et sicut beatus Joannes Evangelista suscepit latronem, quamvis manus eius inquinatae essent sanguine humano. Itaque confessarius, si scit poenitentis peccata esse multa, eius autem zelum esse parvum atque infirmum, allevet onus super eum et innitatur in amore Dei erga homines eiusque gaudio de eorum poenitentia et conversione." This wonderful apostolic spirit, this spirit of a father and an ambassador of Christ, characterizes the whole Nomocanon. Moreover, Marqus Ibn al-Qunbar proves himself to be an independent thinker, using his own judgment in explaining and modifying the ancient rigid laws, and using it well. Indeed, if Ibn al-Qunbar is really the author of this

Nomocanon, the idea which we obtain about his person and character by a careful study of his work, is entirely different from what his enemies would want us to believe. It is he, not his opponent, Michael of Damyâṭ, who fully deserves our respect, sympathy and affection.

The Coptic Christians seem to have held the Nomocanon of Marqus Ibn al-Qunbar in very high esteem. This conclusion may be drawn from the many Arabic manuscripts which have been preserved; no fewer than seven are known up to now. They are No 28 (88g) in the University Library at Bonn, Vat. Syr. 134 in the Vatican Library at Rome, Diez A. quart. 107 in the Royal Library in Berlin, Cod. 109 Or. 125/121) in the University Library at Göttingen, No 35 in Dêr Za 'ferân, Sinai No 203 according to the Catalog of the Arabic manuscripts of the Sinai Convent in the papers of bishop Porphyrius Aspanski and finally an uncatalogued manuscript in the collection of Amélineau of the Institut Catholique at Paris.[30]

It may be drawn, moreover, from the fact that the *Medicina Spiritualis* was translated into Ethiopic, which translation also is preserved in a good many manuscripts under the title " Faus Manfasâwī ".[31] The most striking proof, however, of the high esteem which this Nomocanon won in the Coptic Church, is the fact, that it was made the basis of another and larger Nomocanon, that of Farag Allâh al-Ahmîmī.

About Farag Allâh al-Ahmîmī, his person and life, nothing is known at all. All we know of him, is, that his home country was Ahmîm (al-Ahmîmī meaning native or man of Ahmîm) and that he is author of a Nomocanon. This Nomocanon is preserved apparently in one manuscript only, viz. ar. 250 of the National Library at Paris, written 1073 M=1356/7 A. D. The date of this manuscript which, as follows from the colophon fol 237 b, is a copy, not the original, furnishes as a terminus ad quem about 1325. On the other hand, the fact that Farag

[30] I owe the information of the last four manuscripts to the kindness of the Rev. Dr. H. Gussen.

[31] As a matter of fact, there are two works extant in Ethiopic bearing the title of Faus Manfasâwī. One of these is without the slightest doubt a close and faithful translation while the other one appears to be a revision rather than a translation. Both texts are to be published by my friend and colleague Dr. Butin.

Allâh uses Marqus Ibn al-Qunbar and aṣ-Ṣafī Ibn al-'Assâl, who died at the beginning and at the end of the thirteenth century [32] respectively, fixes the terminus a quo at about 1250. The exact date, however, can not be ascertained.

Almost everything found in this Nomocanon is borrowed. The general plan and the arrangement are borrowed from the famous Nomocanon of Ibn al-'Assâl; the subject matters are borrowed mostly from Marqus Ibn al-Qunbar's Nomocanon, but also, especially in the last part on the civil law, from the Nomocanon of Ibn al-'Assâl, from the *Paradisus orthodoxiae* of Abū 'l-Farag 'Abd Allâh Ibn Abī 'ṭ-Ṭayyib [33] and one

[32] aṣ-Ṣafī died after 1274 A. D., since his treatise on the Trinity and Unity, according to ar. 199 of the National Library at Paris, was composed at the end of 673 H = 1274 A. D.

[33] Died 1043 A. D. The work, quoted above, is preserved in Vat. ar. 36 and 37 (Mai, loc. cit. IV, 78). Moreover, the treatise *De hereditatibus* is preserved in the Collection of Maqârā and in Vat. ar. 160, fol. 1b-8 (written 1220 A. D.). Riedel, loc. cit. pp. 148 ff. attempts to prove, that this Ibn aṭ-Ṭayyib is not to be identified with Ibn aṭ-Ṭayyib the author of a collection of canons under the title "*Laws of Christendom*" preserved in Vat. ar. 153 (Mai IV, p. 286) and Laur. 57 (Assemani, *Bibliothecae Mediceae Laurentianae et Palatinae codicum manuscriptorum orientalium catalogus.* Florence, 1742, p. 93) whom he refers to the fourteenth century. The main reason that Riedel brings against the identity of both, is Ibn aṭ-Ṭayyib's quality as secretary of the patriarch Timotheus, a patriarch with the name of Timotheus being known only in the ninth and in the fourteenth century, but not in the first part of the eleventh century. The entire argumentation of Riedel, however, is wrong. The facts are these. Vat. ar. 180 contains the approbation of a controversial work of Elias, bishop of Nisibis, which aṭ-Ṭayyib wrote in the year 1027 A. D. or perhaps 1026 A. D. The additional remark of Mai, loc. cit. p. 326, that this approbation was given at the order of the patriarch Timotheus, may perhaps be found in that copy of the fifteenth century. It is, however, erroneous or, at least, misleading. The approbation, there can not be any doubt about, was given in *compliance* with a decree of the patriarch Timotheus I (778-841 A. D.), written in a synod in the year 174 H and confirmed in the synod 189 H (cp. Assemani's *Bibliotheca Orientalis*, III, 1, p. 81 and 82). Thus there is no mention of Timotheus as the name of the patriarch in the first part of the eleventh century. It is true, ar. 177 of the National Library at Paris, written not after 1289 A. D., in its preface, also seems to refer Ibn aṭ-Ṭayyib as secretary of one patriarch Timotheus. This, however, is very doubtful, as it is not clear at all from de Slane's Catalog, loc. cit. p. 47, whether the name of the patriarch is found in that preface itself or added by de Slane *marte proprio*. And even if it should be found there, it would not prove much, since the preface is of rather late date, the script being "*bien plus moderne que le reste du manuscrit.*" The last authority for Ibn aṭ-Ṭayyib's being the secretary of the patriarch Timotheus is Abū l-Barakât in the 7th Chapter of his *Lampas Tenebrarum*. There is, however, little reason to attach much weight to this *incidental* remark of an Egyptian writer, who died not less than three hundred years after Ibn aṭ-Ṭayyib. Indeed, there is good probability that all the references to Ibn aṭ-Ṭayyib as the secretary of a patriarch Timotheus were caused by a simple misunderstanding of the remark concerning the approbation of the controversial work of Elias mentioned above. However, I can not attempt a full solution of this difficulty now, since the World-War renders it impossible

Mâr Elias of Nisibis.[34] With exception of the last two authors, he deems it entirely unnecessary to indicate his sources or to allude to them. In the art of borrowing he is certainly a perfect master and a most conscientious one too; he borrows both substance and form, mostly without the slightest change. Sometimes, it is true, he dares be so independent as to add a few paragraphs or insert a few passages from the Scripture or a few Tituli from the civil code, known as " Laws of the Kings ", or a few canons which he just happens to know. I am even guilty of suspecting him (which suspicion however, I can hardly prove), of having quietly smuggled in a few lines of his own now and then or even a whole chapter or two, which, however, after all, are but compilations from other collections of canons or the Didascalia and similar writings. He, who, for instance, expects in chapter 27 in book 2: De Judiciis Ecclesiasticis, an interesting exposition of the custom and usages of the ecclesiastical courts in the thirteenth and fourteenth century in Egypt, will be greatly disappointed, for the whole chapter with all its twelve sections contains simply and only a literal extract from the Didascalia and Clementine writings. And should there be a few lines of independent thought in this Nomocanon, as it perhaps may happen to be in the introduc-

to obtain the necessary manuscripts to be studied. One thing, however, is certain, namely, that Ibn aṭ-Ṭayyib, *the Collector of canons*, can not be placed back in the fourteenth century, as Riedel proposes. The Commentary to the Gospels, which according to Abū l-Barakât has to be attributed to Ibn aṭ-Ṭayyib, *the collector of canons*, is preserved in two manuscripts, in ar. 85, written in the eleventh century, and ar. 86, written in 1248 A. D., both in the National Library at Paris. The author, therefore, must belong to the eleventh century at least. This argument can not be shaken, even if we did suppose that Ibn aṭ-Ṭayyib was really the secretary of a patriarch, named Timotheus. It is true, Le Quien, *Oriens Christianus*, does not mention such a patriarch between 841 and 1318 A. D. But this can not be considered a definite proof, that there really was none in that period, especially since also Vat. ar. 157 (written in 1220 A. D.) seems to mention a patriarch of that name in that period. He may have been an anti-patriarch or a patriarch *ad interim* during the vacancy of the patriarchal see between Išô'yab (died 1025 A. D.) and Elias (elected 1028 A. D.). As to Ibn aṭ-Ṭayyib cf. *Nachrichten der Kgl. Gesellschaft der Wissenschaften zu Göttingen, Phil.-hist. Klasse, 1902*, pp. 563 and 648 with Riedel's note 2.

[34] Elias of Ṣôba' is meant, whose work *De Hereditatibus*, based on the similar work of the patriarch Elias, is preserved in 'Abhdîšo"s Nomocanon (Mai, loc. cit. X, pp. 222-230 and pp. 56-65). In the Parisian copy of Farag Allâh's Nomocanon, the words " Elias " and " Nisibis " of the title " sanctus Pater Elias, Episcopus Nisibis " have been erased; apparently the orthodoxy of the Melchite or Jacobite owner of the copy did not allow the epithet "Pater sanctus" to a heretical Nestorian bishop.

tion, they are by no means incontestable improvements, in so far as these additions can hardly be said to be important or instructive or well managed. The Nomocanon is in itself, without any doubt, a most valuable and useful piece of work, but all, or almost all, of the good points that Farag Allâh shows in it, are wholly due to his great forerunners, Marqus Ibn al-Qunbar and aṣ-Ṣafī Ibn al-'Assâl.

The Nomocanon of Farag Allâh has not been published yet nor described in a sufficient manner; the few lines of description of the Paris manuscript in de Slane's Catalog being neither exact nor adequate. A short indication of the contents of the Nomocanon therefore, will not be deemed out of place.

Liber Collectionis Canonum auctore Farag Allâh al-Ahmîmī.

Liber prior. (26 capita, 163 [?] sectiones)

fol. 2b. Introductio [Medicina Spiritualis, Cap. 1, 2]

fol. 7b. Index capitum

fol. 9b. Caput I. Mandata quae scripserunt Apostoli duodecim et quae vocantur leges iudiciales [?].

fol. 15b. Caput II. Mandata quae scripserunt Apostoli sancti ad universam ecclesiam Christianam. (6 sectiones)

fol. 18a. Cap. III. De disciplina obligatoria et conveniente et de eius valore in Ecclesia orthodoxa. (14 sect.) [Med. spir. cap. 32, 34]

fol. 25a. Cap. IV. De ordinatione ecclesiae et de ornatione altaris. (11 sect.) [Med. spir. cap. 29]

fol. 31a. Cap. V. De baptismate. (6 sect.) [Med. spir. cap. 27]

fol. 35a. Cap. VI. De μύρῳ et de eius dignitate eiusque usu in consecratione altarium, et de eo qui peccat post baptisma (8 sect.) [Med. spir. cap. 28]

fol. 36a. Cap. VII. De patriarcha, et plurima ex eis, quae valent de episcopis, valent de patriarcha, nam ipse vocatur "episcopus magnus" et "pater" et "princeps episcoporum". (1 sect.) [Ibn al-'Assâl, I, 4a]

fol. 38a. Cap. VIII. De χειροτονίᾳ episcoporum etc. (10 sect.) [Med. spir. cap. 25]

fol. 48b. Cap. IX. De functionibus presbyteratus, et de impositione manus et baptismate et liturgia et oblationibus (1 sect.)

fol. 50a. Cap. X. De sacerdotibus et diaconis et de vestimentis eorum et de diaconissis (8 sect.) [Med. spir. cap. 31]

fol. 56b. Cap. XI. De observationibus presbyterorum et obligationibus clericorum. (7 sect.)

fol. 61a. Cap. XII. De monachis et sanctimonialibus et virginibus et eorum obligationibus, et de viduis. (15 sect.) [Med. spir. cap. 37]

fol. 66a. Cap. XIII. Quod status clericalis praestantior sit statu regali, et de clerico, qui vadit ad reges, et de eo qui non debet fieri clericus. (5 sect.) [Med. spir. cap. 35]

fol. 67a. Cap. XIV. De oblationibus et de communicantibus, et de rebus e quibus sumantur [oblationes] et e quibus ne sumantur, et quod ne ponatur in altari oblatio talium quae non licet offerre, et de primitiis et decimis. (17 sect.) [Med. spir. cap. 26]

fol. 73b. Cap. XV. De visitatione ecclesiae omni die facienda. (2 sect.)

fol. 75a. Cap. XVI. De benedictione et εὐλογίᾳ. (1 sect.)

fol. 75b. Cap. XVII. De ieiuniis et feria quarta et feria sexta. (11 sect.) [Med. spir. cap. 38]

fol. 79a. Cap. XVIII. De hebdomada sancta et resurrectione. (5 sect.) [Med. spir. cap. 39]

fol. 80b. Cap. XIX. De diebus quibus non licet ieiunare neque prostrationem facere. (2 sect.)

fol. 81b. Cap. XX. De festis et de diebus quibus debet feriari, et quid faciendum sit die Sabbathi et Dominica. (11 sect.) [Med. spir. cap. 40, 41]

fol. 84b. Cap. XXI. De temporibus precum et de lotione omni tempore facienda. (7 sect.) [Med. spir. cap. 42]

fol. 87a. Cap. XXII. De eleemosyna et partitione eius. (7 sect.) [Med. spir. cap. 43]

fol. 89b. Cap. XXIII. De votis (6 sect.) [Med. spir. cap. 44]

fol. 90b. Cap. XXIV. De obstetricibus. (1 sect.)

fol. 91a. Cap. XXV. De visitatione aegrotorum et de fidelium in hac re obligatione. (1 sect.)

fol. 91a. Cap. XXVI. De libris sanctis quos accipit ecclesia. (1 sect.)

Liber alter. (50 capita, 335 [?] sectiones)

fol. 92b. Cap. I. De nuptiis prohibitis earumque speciebus (19 sect.) [Med. spir. cap. 5, 6]

fol. 96b. Cap. II. De nuptiis viduae quae sexaginta annos supergressa est. (8 sect.) [Med. spir. cap. 5, 6]

fol. 98b. Cap. III. De corruptione matrimonii et divortio. (2 sect.)

fol. 99a. Cap. IV. De redditione arrhabonae ad mortem unius e coniugibus. (1 sect.)

fol. 99a. Cap. V. De mandatis circa matrimonium. (10 sect.)

fol. 102b. Cap. VI. De superbia. (1 sect.) [Med. spir. cap. 3]

fol. 104b. Cap. VII. De occisione. (9 sect.) [Med. spir. cap. 4]

fol. 107a. Cap. VIII. De fornicatione eiusque speciebus. (12 sect.) [Med. spir. cap. 5, 6]

fol. 114b. Cap. IX. De bestialitate et sodomia. (5 sect.) [Med. spir. cap. 7]

fol. 116a. Cap. X. De concubina et concubino et de eo qui habet concubinam. (6 sect.) [Med. spir. cap. 8]

fol. 117b. Cap. XI. De coitu cum uxore inordinato et de retractione ab ea. (2 sect.) [Med. spir. cap. 11]

fol. 118a. Cap. XII. De eo qui vult expellere uxorem suam e domo sua. (15 sect.) [Med. spir. cap. 12, 13]

fol. 121a. Cap. XIII. De somniatione. (10 sect.) [Med. spir. cap. 14]

fol. 123a. Cap. XIV. De abstinentia ab uxore sub ratione quod sit prohibita. (4 sect.) [Med. spir. cap. 9]

fol. 124a. Cap. XV. De temporibus quibus coniugibus copula non permittitur. (5 sect.) [Med. spir. cap. 10]

fol. 127a. Cap. XVI. De eo qui vadit ad conventus iudaeorum et magorum et astrologorum et incantatorum serpentum et lusorum et augurum et eorum qui praeferunt diem diei et ceterarum categoriarum. (5 sect.) [Med. spir. cap. 15]

fol. 129a. Cap. XVII. De apostasia. (13 sect.) [Med. spir. cap. 16]

fol. 132b. Cap. XVIII. De furto eiusque divisionibus. (9 sect.) [Med. spir. cap. 17]

fol. 135a. Cap. XIX. De usura. (1 sect.) [Med. spir. cap. 18]

fol. 136a. Cap. XX. De iis qui se applicant arti fraudulentae, et de falsariis. (3 sect.) [Med. spir. cap. 19]

fol. 137a. Cap. XXI. De offensione et obtractione et maledictione. (8 sect.) [Med. spir. cap. 20]

fol. 138b. Cap. XXII. De ira et odio. (3 sect.) [Med. spir. cap. 21]

fol. 139b. Cap. XXIII. De iure iurando veraci et mendaci. (12 sect.) [Med. spir. cap. 22]

fol. 142a. Cap. XXIV. De mendacio. (9 sect.) [Med. spir. cap. 23]

fol. 144b. Cap. XXV. De testimonio falso. (1 sect.) [Med. spir. cap. 24]

fol. 145a. Cap. XXVI. De actionibus vilibus. (1 sect.)

fol. 145b. Cap. XXVII. De refectorio. (1 sect.)

fol. 145b. Cap. XXVIII. De iudiciis ecclesiasticis et testimonio contradelinquentes. (12 sect.)

fol. 148b. Cap. XXIX. De mactato, et quid ducendum sit licitum circa cibos et quid illicitum. (12 sect.) [Med. spir. cap. 36]

fol. 155a. Cap. XXX. De castratis et circumcisis. (6 sect.) [Med. spir. c. 33]

fol. 156a. Cap. XXXI. De daemoniacis et catechumenis et confessoribus. (3 sect.)

fol. 157b. Cap. XXXII. De martyribus et mandatum de eis, et de eundo ad carceres, et quod ecclesia ne nominetur nomine martyris. (4 sect.)

fol. 159a. Cap. XXXIII. De iuribus imperatoriis et obedientia erga imperatorem et principes, et de spatio praescriptionis et petitione iurium legalium et venditione et emptione, et quod ne intercedant mulieres. (4 sect.)

fol. 160a. Cap. XXXIV. De venditione servorum et procuratione eorum et manumissione servorum. (5 sect.)

fol. 161b. Cap. XXXV. De christianis qui ex hoc mundo decedunt, et de coemeteriis. (2 sect.)

fol. 163a. Cap. XXXVI. Quod patres filios suos instruant et in matrimonium dent, si hoc sunt digni. (1 sect.)

fol. 163b. Cap. XXXVII. Diversa. (23 sect.) [Med. spir. cap. 45, 46, 47, 48]

fol. 168a. Cap. XXXVIII. De merito poenitentiae, et quod peccator manifestet peccatum confessario ecclesiastico, ut sibi imponat poenitentiam peccato suo congruam, et demonstratio huius rei et testimonia pro ea. (1 sect.) [Med. spir. cap. 48]

fol. 170b. Cap. XXXIX. De hereditatibus (35 sect.) [10 sect. = Ibn al-'Assâl lib. II cap. 42; 1 sect. ex tractatu: "Paradisus orthodoxiae populi christiani" auctore Abū 'l-Farag 'Abd Allâh Ibn Abī 't-Tayyib; 24 sect. ex tractatu: "De categoriis heredum" auctore Mâr Elia Metropolita Nisibeno]

fol. 190a. Cap. XL. De commodato et de deposito et de procuratione et de tutela (4 sect.) [Ibn al-'Assâl, l. II cap. 28, 29, 30, 32]

fol. 194b. Cap. XLI. De venditionibus et de iis quae ad has pertinent. (7 sect.) [Ibn al-'Assâl, l. II cap. 33]

fol. 198b. Cap. XLII. De societate et de compulsione et de rapina. (3 sect.) [Ibn al-'Assâl, l. II cap. 34, 35]

fol. 201a. Cap. XLIII. De mercedibus et conductione et viis et plateis et locis et restoratione aedificiorum et cursibus aquae et rivulis campi. (12 sect.) [Ibn al-'Assâl, l. II cap. 36, 37]

fol. 207b. Cap. XLIV. De societate quaestus et stipulatione debiti. (5 sect.) [Ibn al-'Assâl, l. II cap. 38, 39]

fol. 209a. Cap. XLV. De rebus quae inveniuntur perditae et derelictae in locis communibus v. g. campo, via, foro, balneo, diversorio et ecclesia. (4 sect.) [Ibn al-'Assâl, l. II cap. 40]

fol. 211b. Cap. XLVI. De testamento de bonis. (5 sect.) [Ibn al-'Assâl, l. II cap. 41]

fol. 217b. Cap. XLVII. De iudice eiusque obligationibus et de testibus. (14 sect.) [Ibn al-'Assâl, l. II cap. 43]

fol. 229a. Cap. XLVIII. De donatione. (1 sect.) [Ibn al-'Assâl, l. II cap. 26]

fol. 230b. Cap. XLIX. De regibus. (5 sect.) [Ibn al-'Assâl, l. II cap. 44]

fol. 234a. Cap. L. De mutuo et de fidei iussione et de pignore et de vadimonio. (5 sect.) [Ibn al-'Assâl, l. II cap. 27]

fol. 237b. Explicit Nomocanon Farag Allâh al-Ahmîmî. Colophon copistae.

The last Nomocanon, which has to be mentioned in this paper, is the justly famous Nomocanon of Ibn al-'Assâl, which by far outdoes every other, even that of Marqus Ibn al-Qunbar.

Abū 'l-Barakât († 1363 A. D.) in his *Lampas tenebrarum* mentions as the author of this Nomocanon aṣ-Ṣafī Abū 'l-Faḍâ'il Ibn al-'Assâl and distinguishes him from al-Mu'taman Abū Ishaq Ibn al-'Assâl whom he calls his brother. Stephan Evodius Assemani, however, rejects this distinction and claims the identity of both these persons. Strange to say, there is a remarkable confusion in the manuscripts themselves as to the name of the author. This confusion can hardly be cleared up by the manuscript ar. 24g of the National Library of Paris, although it is said, in the colophon on fol. 321a, to be a copy of an original finished in the year 978 M=1261 A. D. in the house of al-As'ad Ibn al-'Assâl. Its only passage fol. 182a, in which, as far as I know, aṣ-Ṣafī Ibn al-'Assâl is mentioned as the author of the Nomocanon, does not form a part of Ibn al-'Assâl's work itself, but is probably only a note of the copyist of the fifteenth century and thus of very little authority. The controversy, however, seems to have been sufficiently settled by Alexis Mallon [35] and by the Hegumenos Philotheos.[36] Both distinguish three brothers Ibn al-'Assâl viz.: al-As'ad Abū 'l-Farag Ibn al-'Assâl, aṣ-Ṣafī Abū 'l-Faḍâ'il Ibn al-'Assâl and al-Mu'taman Abū Ishaq Ibn al-'Assâl, and attribute the Nomocanon to aṣ-Ṣafī Abū 'l-Faḍâ'il.

Very little is known of the person and life of aṣ-Ṣafī Abū 'l-Faḍâ'il Ibn al-'Assâl. His family seems to have enjoyed an excellent reputation in Church and State. However that may be, certainly all of the three brothers, called Ibn al-'Assâl,

[35] In his article "*Ibn al-'Assâl. Les trois écrivains de ce nom*" in the *Journal Asiatique*, Nov.-Déc., 1905, pp. 509 ff.

[36] In a letter written in 1886 and inserted in the Arabic introduction to Girgis Philotheos 'Auḍ's *al-Magmû' as-Safawī*, Kairo, 1908.

were great scholars and authors, who apparently were well versed in all fields of science. Al-As'ad Abū 'l-Farag Ibn al-'Assâl is well renowned as a philologian and biblicist and Al-Mu'taman Abū Ishaq Ibn al-'Assâl won great fame also as a philologian and a dogmatist. Aṣ-Ṣafī is mentioned as author of many important books. He wrote a book, the title of which is " Kitâb aṣ-Ṣahâ'iḥ fī 'r-rudd 'alā 'n-naṣâ'iḥ " [37] and a book on the Trinity and Unity, both of which have been preserved in only few copies. Two other books of his, viz. " al-Kitâb al-Ausaṭ", a sharp rejoinder to the objections of 'Abd Allâh an-Nâšī, Faḫr ad-Dîn Ibn al-Haṭîb and others, and the " Manual for beginners in the science of the canons " seem to be lost entirely. Besides these, according to the Hegumenos Philotheos,[38] he wrote 1. a book on the Fundamentals of the Religion, 2. rich explanatory notes to the Disputations between Yaḥyā Ibn 'Adī (died 1006/7 A. D.) and the Muslim 'Isā 'l-Warrâq, 3. a collection of extracts from the works of Yaḥyā Ibn 'Adī, 4. poems in the Regez-meter *De Hereditatibus Christianorum*, 5. sermons in Sag' (rimed prose) and 6. finally perhaps works on natural science. Vat. ar. 38 (Mai, loc. cit. IV p. 78, written 1361 A. D.) " Christianorum Dogmata cum solutione dubiorum auctore Al-Saphi Abul Phadaiel " most probably has also to be attributed to our aṣ-Ṣafī Abū 'l-Faḍâ'il Ibn al-'Assâl. The meager account of the catalog, however, does not permit an identification of the work.

His chief work is the " Collection of the Canons ", our Nomocanon. It has been preserved in comparatively many manuscripts. No fewer than seventeen are known to me, which are listed partly in Riedel, loc. cit. p. 117/8 and Mallon, loc. cit. p. 524/5 (where also the manuscripts of the other works of

[37] Riedel translates: *Buch der Wahrheiten zur Widerlegung der "guten Ratschläge"*, and adds the conjecture aṣ-Ṣâ'iḥ (Schreier) instead of an-Naṣâ'iḥ; Wansleben translates: *Le livre des vérités pour resoudre les difficultés des amis.* Both translations are doubtful, but how to translate correctly, I do not know either. Mallon's "*Livre de refutation*" avoids the difficulty by not translating. Wansleben loc. cit. p. 336 mentions the shipment of a copy of this work to the Royal (= National) Library at Paris, which copy, however, is not found in de Slane's Catalog nor in H. Omont, *Les Missions Archéologiques Françaises en Orient*, Paris, 1902, in the lists of the books and manuscripts bought by Wansleben.

[38] In 'Aud, loc. cit. introduction, p. 10. These informations are taken mostly from Abū 'l-Barakât's *Lampas Tenebrarum* ch. 7 and al-Mu'taman's Ibn al-'Assâl's work: *Collectio fundamentorum religionis.* Lack of manuscripts prevents a more detailed study of the literary activity of aṣ-Ṣafī for the present.

aṣ-Ṣafī are found); Girgis Philotheos 'Auḍ adds a few more in the introduction to his *Magmū' aṣ-Ṣafawī*, unfortunately without indicating the libraries in which they may be found. A translation of the Arabic text has not been made yet; in the meantime the Italian translation of the Ethiopic *Feṭha Nagast* by Ignazio Guidi [39] with its many references to the Arabic original may be consulted profitably.

In the Synod, which Kyrillus Ibn Laqlaq and the Jacobite Bishops of the Coptic Church held in the year 955 M (= 1238 A. D.) at Kairo and in which aṣ-Ṣafī acted as secretary, it was resolved:[40] "Ut conveniat Patriarcha cum doctoribus ex Episcopis et Presbyteris de conficiendo compendio canonum de eis quae prohibentur et permittuntur circa nuptias et alia et circa hereditates et ordinationem officiorum presbyteratus, et ut scribatur exemplar cum signatura Patriarchae et Episcoporum de eius approbatione et acceptione, et (hoc exemplar) conservetur semper in sedibus (episcopalibus). Et omnis sententia iudicialis quae est extra hoc (= that is based on laws and regulations not found in this code), est invalida." Since aṣ-Ṣafī in the introduction to his Nomocanon emphasizes, that his collection is a compendium, although complete, and since aṣ-Ṣafī's work often has the title "Compendium" in the manuscripts, it is obvious to consider it that official compendium of canons which the synod, mentioned above, resolved should be made. This conclusion, however, may be premature. First of all, it seems strange that, at least to my knowledge, no manuscript of the Nomocanon shows the signature of the official approbation and acceptance of the patriarch and the bishops, demanded by the synod. Moreover, and this might be decisive, the manuscript Brit. Mus. or. 1331, written 1355 A. D., states expressly that aṣ-Ṣafī finished his Nomocanon on the 10th of the month of Barmahât in the year 952 M (= 1236 A. D.), almost three years *before* the synod was held. It will not do to surmise, that the synod did not speak of making a new compendium, but submitted the extant one written by aṣ-Ṣafī shortly before, to the judgment of a committee for approbation. 'Auḍ publishes in his *Magmū' aṣ-Ṣafawī* in Appendix 4, pp. 436 ff., a most interesting document, which according to 'Auḍ

[39] Ignazio Guidi, *Il Feṭha Nagast, o Legislazione dei Re*, Rome, 1899, p. vii.
[40] § 2 of the protocol, cf. 'Auḍ, loc. cit. p. 452, Appendix 5.

loc. cit. Introd. p. 11, was written by the hand of aṣ-Ṣafī himself and shows the signature of the patriarch Kyrillus Ibn Laqlaq. The larger part of this document is in fact a short but instructive although fragmentary Manual, treating of just those canonical questions, mentioned by the synod of the year 1238 A. D. In the manuscript, used by 'Auḍ, the text is dated on the 17th day of the month Tût 955 M, i. e. eleven days after the date of the decree of the synod. The same manual, but complete, is preserved in the Collection of Maqârā (for instance Vat. ar. 150, written 1372 A. D., fol. 105 v b—110 rb and Bibl. Nat. ar. 251, written 1353 A. D., fol. 355 r-361 v) and the Berlin Manuscript Diez A. quart. 107, written 1333 A. D., fol. 199 v ff. (as to the order of the folia cf. Riedel, loc. cit. p. 133 No 18). Both manuscripts contain a colophon, in which the patriarch Kyrillus Ibn Laqlaq himself after his signature establishes the fact, that his brethren the bishops approved this text on the 20th day of Tût, 955 M (= 1238 A. D.) i. e. fourteen days after the decree of the Synod, and decreed that all the episcopal sees should keep a copy thereof. It is therefore more than probable, that this document is the compendium demanded by the synod. Most certainly aṣ-Ṣafī was one of the active doctors chosen from among the presbyters, who, according to the decree of the synod, should belong to the committee. It may therefore be taken for granted a priori, that the official compendium should show much relationship to aṣ-Ṣafī's Nomocanon. And indeed, a closer comparison will characterize it as a handy extract from certain parts of this comprehensive Nomocanon, which by this fact alone received a kind of implicit approbation. Thus it is not at all surprising that aṣ-Ṣafī's Nomocanon became the official Corpus Juris Canonici for the decisions of the patriarchal court at Alexandria (for which fact the Hegumenos Philotheos is the authority).

Aṣ-Ṣafī Ibn al-'Assâl's work consists of an introduction and a Nomocanon proper. The introduction treats of the sources of canon law: the fundamental sources are Holy Writ, ecclesiastical canons and deduction by analogy; the special sources he mentions are almost the same as in the Nomocanons of Michael of Damyâṭ, Marqus Ibn al-Qunbar and the plagiarist Farag Allâh. He does not mention an Islamic source, al-

though Guidi believes, he used one in the second book of the Nomocanon on the civil law, viz. *at-Tanbîh* of Abū Ishâq eš-Sirâzī, an author of the Shafiitic school of the eleventh century. The Nomocanon proper is divided into two books. The first book treats (in 22 chapters) of worship and clergy and refers mostly to canon law, the second (in 29 chapters) of the laws governing the individual person, the family and the community and refers mostly to civil law. I abstain from fully describing the contents in detail, since all desirable information may easily be obtained from Guidi's translation of the *Fetḥa Nagast.*

The following translation of the 5th section of the 24th chapter: De sponsalibus et de contractu maritali et de nuptiis et de eis quae ad has pertinent, will give a fair specimen of this great Nomocanon. "*Sectio quinta. De definitione matrimonii et de conditionibus eius. In tribus subdivisionibus. Primo. De definitione eius.* Matrimonium est conventio viri et mulieris publica per testes et sacerdotum benedictionem et communio vitae amborum talis, ut unus sit alteri adiutorio in acquirendo ea, quae ambobus sunt necessaria, et generando posteritatem, quae ambobus succedat. *Secundo. De eis, quae considerantur ante matrimonium.* (Titulus 3). Locum non habebit matrimonium, nisi consentiunt nupturientes ambo et illi, sub quorum manu hi sunt, et nisi sunt in aetate pubertatis i. e. viris annos quattuordecim supergressis et mulieribus annos duodecim. Mulier, quae nubit infra hoc [= who has not reached the age of twelve years at the time of her marriage], fit uxor legitima solummodo, si fit gravida a viro [= if her maturity is proved by the fact against the legal presumption]. Deinde: ne quis matrimonium ineat clandestine, sed in praesentia plurium. (Liber regum tertius 1). Contractus matrimonii nec perficitur nec locum habet nisi adest sacerdos et benedictionem pronuntiat super ambos et distribuit ambobus Eucharistiam sanctam tempore coronationis [= marriage ceremony], qua se coniungunt et fiunt unum corpus et una caro, sicut dixit Deus, cui laus est. Si autem huic legi adversantur, non computatur eis matrimonium, nam benedictio est, quae licitos reddit mulieres viris et viros mulieribus."

As already mentioned above, the Nomocanon of aṣ-Ṣafī Ibn al-'Assâl surpasses all others. It vies from a linguistic

point of view with the classic writers of the best note, especially in the second book, where aṣ-Ṣafī is independent of the traditional text of the barbarous ecclesiastical canons. Its methodical arrangement and treatment excels in clearness and compactness. As to the juridical side, it has no equal in comprehensiveness, thoroughness and independence. And finally, its history is quite extraordinary. It has become in its Ethiopic translation the official canonical, civil and penal code of the Abyssinian Kingdom up to the present date.

The legal literature of the Orient is strange to our mind. But all things Oriental are strange to our mind. This is true from every point of view. Oriental civilization, Oriental literature, Oriental politics, Oriental economical conditions, Oriental life and customs; all these are framed by the nimbus of remoteness in such a degree as if they belonged to a world different from ours. And yet, how much have we received from the East! Our history is in many respects only a continuation of Oriental history, our civilization is based in a large degree on Oriental civilization, our life and customs contain thousands of things which seem to us to be our own, but, as a matter of fact, are borrowed from Oriental life and customs of yore. And as to religion, we all know, how intimately it is connected with the Orient. And yet, in spite of all, the Orient remains far from us and strange to our mind. There will be a change in a nearer future than we are ready to hope. The World-War, which is now raging over the fields of Europe and Asia, will build the bridge from the Eastern to the Western peoples, from Western to Eastern politics, from Western to Eastern civilization and let us hope, from the Western Church to the Eastern branch of Christendom. The outcome of this war will not be confined to things political, economical and commercial, but it will reach over far into the sphere of religion and materially influence the future of Catholicism. There was perhaps never a period, except that of the Crusades, which offered so many promising prospects for the union of Eastern and Western Catholicism, and, at the same time there was hardly any that proved to be so full of danger for a definite and irreparable loss to the Western Church of millions of souls for centuries to come.

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THE PROXIMATE MATTER OF EXTREME UNCTION.

ST. THOMAS and the scholastic theologians held that the anointing of the organs of the five senses constitutes the essential proximate matter of the Sacrament of Extreme Unction. This teaching was followed either as certain or as more or less probable down to recent times. From the sixteenth century, however, down to our own day the proximate matter of Extreme Unction has furnished a constant subject of controversy. The controversy has centred round the question: Is a single unction made with a general form sufficient for a valid sacrament, or is it not necessary or at least permissible to add, if possible, the usual unctions of the senses when the sacrament in case of necessity has been conferred by a single unction?

Although for most priests this is to-day a settled question, for some it is not so; and this because there are still some few theologians who hold that the usual unctions either can or should be added, if possible, after the administration of the sacrament by a single unction. The teaching of such theologians has been a source of doubt or confusion to not a few priests when they have found it necessary to administer Extreme Unction by the short form.

Since the Sacraments existed in practice centuries before systematic sacramental theology was formulated, the one reliable foundation for theological teaching on the Sacraments is the practice of the Church. With this fact in mind a brief historical review of the practice of the Church, as well as of theological teaching, in regard to the proximate matter of Extreme Unction will manifest that there is solid ground for only one view as to what constitutes the essential proximate matter of this sacrament, and that any other view than this is devoid of intrinsic probability and may be disregarded in practice.

The history of the proximate matter of Extreme Unction falls into three periods: first, from the beginning down to the thirteenth century, the period during which no systematic sacramental theology existed; secondly, the period from the thirteenth century to the Council of Trent, in which time systematic theology of the Sacraments took form; and thirdly, from

Trent down to to-day, a period in which historical research has done much to clarify sacramental theology.

The extant testimonies from the first five centuries in regard to Extreme Unction are comparatively few; yet the patristic writings and other documents previous to the Gregorian Sacramentary do undoubtedly refer to the use of this sacrament. However, they supply no data for the construction of a theory as to the precise nature of the rite employed. These earliest references, like the text of St. James 5: 14-15, our only certain Scriptural reference to the Sacrament of Extreme Unction, speak simply of unction in a way that would suggest the sufficiency of a single unction.

The earliest extant Church orders for the administration of Extreme Unction are found in certain ninth and tenth century manuscripts of the Gregorian Sacramentary. Some of these orders very probably represent the practice of the Roman Church as far back as the sixth century. The testimony of these, as well as of the many other orders for Extreme Unction contained in tenth and eleventh century manuscripts, brings out clearly these three points: first, that in this period previous to the thirteenth century the practice existed in certain churches of anointing with but a single unction; secondly, that in this period there existed a wide divergence in usage in regard to the number of unctions employed and the parts of the body anointed; thirdly, that the anointing of the organs of the five senses did not become a well-established practice in the West before the eleventh century, while it never became the practice of the Eastern Church.

As regards the administration of Extreme Unction by a single unction, it is a well-known historical fact that in the period before the thirteenth century the practice of anointing with a single unction existed in widely separated Churches. In the Gregorian Sacramentary published at Rome by Sixtus V, we have an instance of this usage. The priest is directed to make a sign of the cross with consecrated oil on the head of the sick person, and to pronounce at the same time the form: "In nomine Patris et Filii et Spiritus Sancti sit tibi haec perunctio olei sanctificanti ad purificationem mentis et corporis." Evidence of the presence of this practice in Spain is afforded by an order for the anointing of the sick according

to the ancient Mozarabic rite. This order prescribes but one unction, which is to be made on the head of the sick person while the following form is pronounced: "In nomine Patris et Filii et Spiritus Sancti regnantis in saecula, saeculorum. Amen." The Mozarabic rite was used in Spain and in what afterward became Portugal down to the latter part of the eleventh century. In Denzinger's *Ritus Orientalium* attention is called to the fact that in the ancient Coptic Church Extreme Unction was administered by one unction made on the forehead. In the liturgical remains which have come down to us from the ancient Celtic Church we find three orders for the administration of Extreme Unction which are among the earliest rituals for this sacrament preserved. In none of these is there any mention or suggestion of a multiple anointing. In fact, no more than one unction is called for by the single short form used in each. Finally, as Dom Chardon noted in his *Histoire des Sacrements* nearly two centuries ago, we have some very early examples of the administration of Extreme Unction by a single unction. St. Eugene, for example, as we learn from his acts, was anointed only on the breast. St. Eugene (Eoghan), Bishop of Ardsrath (modern Ardstraw in the diocese of Derry), died about 618.

These citations are sufficient to illustrate the use in certain Churches of the single unction. Let us now turn to some instances of orders for Extreme Unction from the period under consideration which prescribe several anointings. It will be noticed how the number of unctions used and the parts of the body anointed vary in the different orders.

The rite of Extreme Unction in the Gregorian Sacramentary as edited by Menard prescribes that the following parts of the body be anointed: the neck, the throat, and the place between the shoulders; also the breast or the place where the pain is centred. After the form and other prayers this note is added: "Many priests anoint the sick person also on the five senses of the body." Remark that here the anointing of the senses is set down only as a supererogatory action. An order of the Church of Tours found in a tenth-century manuscript quoted by Martene, calls for the same unctions as the above, but it does not add the note concerning the practice of those priests who anoint also the senses. According to an ancient codex of

the Catalonian Church, the unctions are to be made on the breast, shoulders, head, hands, and feet.

Father Kern, S.J., in his invaluable *Tractatus de Extrema Unctione* calls attention to the fact that we possess a number of ancient orders for this sacrament which do prescribe several sense unctions, but omit one or more of the five senses. For instance, a ninth-century order given in Martene's collection of ancient rites for this sacrament directs that the following parts be anointed: the eyes, ears, lips, neck, shoulders, breast, hands and feet; also the umbilicus, or the place where the malady is seated. Remark that the unction of the nostrils is omitted. Of the same type is the order for Extreme Unction found in the ancient *Codex Ratoldi.* The minister is directed to make the unctions on the ears, nostrils, lips, breast, shoulders, hands and feet. The unction of the eyes is not prescribed. Launoy calls attention to the fact that the last of the seven unctions prescribed in the Decree to the Armenians, the unction of the loins, is not found in the earliest extant orders for this sacrament.

Turning to the practice of the Eastern Church, we find there also differences in the rites used. However, the Greek orders for Extreme Unction agree in manifesting that the anointing of the organs of the five senses was never commonly used in the East. According to a ninth-century order contained in Goar's *Euchologion*, only the forehead, the ears, and the hands are to be anointed. Contrast with this the following account of a rite for Extreme Unction used among the Greeks before the schism, which is given by Theodulphus, a ninth-century bishop of Orleans. "The Apostles in anointing the sick with oil made no more than three crosses upon them; whence the Greeks, following the tradition of the Apostles, make likewise but three crosses, forming each cross from the head to the feet and, transversely, from the right hand across the breast to the left hand." As already remarked, the practice of anointing the organs of the five senses never made any headway in the East. Those Eastern Uniats who follow this practice at the present day have simply borrowed it in recent times from Rome. To-day the Greek Schismatics anoint the forehead, nostrils, cheeks, mouth, breast, and hands; or at times only the forehead, chin, cheeks, and hands. The parts

anointed in the Russian Church are the forehead, nostrils, cheeks, breast, and hands.

From the foregoing citations from the mass of evidence available in regard to the number of unctions used and the parts of the body anointed, it is apparent that the practice of the earlier centuries stands squarely against the contention of thirteenth-century theologians that the proximate matter of Exreme Unction consists essentially in the unction of the five senses. Not only do we possess a number of ancient orders bearing witness to the fact that the usage existed in certain Churches of anointing with a single unction, but the oldest extant orders manifest that there was wide divergence in practice in both West and East in regard to the number of unctions and the parts anointed. It is only in the eleventh-century orders that we mark the gradually increasing tendency to include the unctions of the five senses, even though unctions prescribed in other and older orders are omitted. We know that the anointing of the five senses was the more common but not the exclusive practice in the Western Church in the time of St. Thomas. We know, too, that it did not become universal in the West until the seventeenth century. But we find it impossible to say exactly when this usage became well established. Benedict XIV thinks it can be doubted whether the custom was well established or not even in the eleventh century.

Such, then, was the varying practice in regard to the proximate matter of Extreme Unction down to the thirteenth century. In all this time very little attempt had been made to formulate a scientific definition of a sacrament or to describe its essential elements. This was to be done in the time of the Schoolmen. In the thirteenth century, under the influence of Aristotelian Philosophy, systematic sacramental theology took form. The Scholastics, however, did not write as historians or even from a thoroughly historical viewpoint. No particular need of their time impelled them to do so. The thirteenth century was an age of faith; theology was "Fides quaerens intellectum"; the sacraments were universally accepted; no one questioned their historical foundation. Hence it was only natural that the Scholastics, in formulating their theological opinions on the Sacraments, should have depended to a great extent on the facts of existing sacramental practice. It was

likewise only natural that the Hylemorphic Theory, once accepted, should have led to excessive conclusions on the unchangeable character of the matter and form of the Sacraments.

By the thirteenth century, as we have seen, it had become the common practice of the Western Church to confer Extreme Unction by anointing the organs of the five senses. Arguing from this practice, with which they were familiar and which they assumed to have existed always, the Scholastics not unnaturally concluded that the unctions of the five senses were essential. St. Thomas, in his Commentary on the Fourth Book of the Sentences of Peter Lombard and in the Supplement, gives clear expression to the fully developed Scholastic teaching concerning the matter and form of Extreme Unction. As regards the proximate matter, the organs of the five senses are to be anointed, and this, says St. Thomas, "quasi de necessitate sacramenti". He adds that, by some the feet and reins are also anointed. The reason why the unctions of the five senses are required he finds in the fact that "the principles of sinning in us are the same as the principles of acting; furthermore, the first principle of human operation is to know, and all our knowing has its origin in the senses; therefore the organs of the five senses should be anointed". Albert the Great, St. Bonaventure, and Duns Scotus teach likewise the necessity of the unctions of the senses; they do not distinguish whether the necessity is "necessitas sacramenti" or only "necessitas praecepti".

This teaching of the great Scholastics in regard to the proximate matter of Extreme Unction describes the more common practice of the Western Church from the thirteenth century onward. It became consecrated, as it were, by being incorporated into what is generally known as the Decree of Eugene IV to the Armenians. This decree, which is in fact a summary of a chapter of the Opusculum of St. Thomas "De Articulis Fidei et Sacramentis Ecclesiae", was drawn up at the Council of Florence when the Greeks had left the Council and the Armenians had expressed a desire to be reconciled to the Holy See. It was directed to the united Armenians, and not to the whole Church. Although it commands the highest respect, it has not the value of a conciliary definition, nor

does it impose itself on our faith. It gave, however, a practical exposition of the Western teaching of the time in regard to the Sacraments. Concerning the proximate matter of Extreme Unction the decree says: "The sick person is to be anointed on these places: on the eyes on account of sight, on the ears on account of hearing, on the nose on account of smell, on the mouth on account of taste and speaking, on the hands on account of touch, on the feet on account of walking, and on the loins on account of the pleasure there existing."

Not till after the sixteenth century would it be seriously asserted that the practice thus set forth in the Decree to the Armenians was not the general usage of the Western Church in centuries gone by. It was the historico-theologians of the Counter-Reformation period who were to present this new contention. They were to bring forward the historical facts we have just reviewed, to prove that the practice of their day, which was the only valid practice according to the opinion of Scholastic theologians, was by no means the general practice of past centuries either in the East or in the West. It was the Protestant Reformation that gave the impetus for the new historical investigations into the Sacraments.

In the sixteenth century Extreme Unction, as well as the other Sacraments, was attacked by the so-called Reformers. Just after the end of this century the Sacraments found able defenders in the two great Jesuit theologians, Bellarmine and Suarez, whose works were to have so deep an influence on the theology of succeeding centuries. Their teaching concerning the proximate matter of Extreme Unction was the teaching of the great Scholastics. Bellarmine, while affirming the necessity of the fivefold unction, called attention to the opinion of some who thought one unction sufficient; this opinion he rejected as "singularis et minus tuta". However, this reiteration of the Scholastic doctrine on the Sacraments with new precision and new force was not sufficient to meet the attacks of the so-called Reformers. The Sacraments were assailed on historical grounds, and these attacks caused Catholic theologians of the seventeenth century to leave for a time the field of Scholastic Theology in order to justify the doctrine of the Church by an appeal to history. The historical studies of men like Morin, Launoy, Martene, Goar, and Chardon completely

vindicated the sacramental dogmas as contained in the Church's definitions. But at the same time they brought to light many facts concerning the Sacraments hard to reconcile with certain theological opinions long accepted in the Schools.

The problem in regard to the proximate matter of Extreme Unction created by the findings of historical research was this: How can the fivefold unction be held necessary for validity in face of the historical facts that the unctions of the senses were never in general use in the East; that striking differences existed in the early Western Church in regard to the number of unctions and the parts anointed; and that, finally, the practice of administering this sacrament by a single unction existed early in the West? As we have seen, the historical facts from the period before the thirteenth century made it very difficult to defend the Scholastic doctrine requiring the anointing of the five senses. Nevertheless, many theologians of the seventeenth, eighteenth, and nineteenth centuries, yielding to the tradition of the Schools and passing over the facts of history, continued to defend the Scholastic view. That the opposite opinion was also probable was asserted by not a few theologians, among them Sylvius, Serarius, Becanus, Estius, Juenin, and Tournely.

In the middle of the eighteenth century, the probability of the opinion that one unction sufficed for validity was admitted by two theologians whose teaching exercised a very great influence during the latter half of the eighteenth century and during most of the nineteenth, Billuart and Benedict XIV. Billuart defended the opinion that the five unctions are essential for validity, but he admitted that the contrary view was probable and as such could be followed in case of necessity. Benedict XIV asserted the probability of the view requiring but one unction and affirmed that this opinion rests on a most valid foundation. He cited the fact that the rituals of certain Churches, for example the *Pastorale Mechliniense*, permitted the use of the single unction not only in necessity but also in times of pest or in cases of contagious diseases in order to avoid the danger of infection. In concluding his treatment of this controverted question he directed that "since the Holy See has not decided the matter, no bishop should venture to decide it in his synod; but pastors are to be admonished that

when it is prudently feared that the person may die before the fivefold unction can be carried out, they are to anoint with a single unction, using a general form ".

This represents the common teaching in this regard throughout the last century. The safer opinion requiring the unctions of the five senses was to be followed always, except in case of necessity. Moreover, when the sacrament was conferred by a single unction, the unctions of the five senses were to be immediately added *sub conditione*, if the person continued to live, on account of the doubt about the validity of the single unction.

The doubt in regard to the essential proximate matter was removed and the long controversy settled by a decree of the Holy Office of 25 April, 1906, which decided that in case of necessity a single form is sufficient. The text of the decree is as follows: " Cum huic Supremae Congregationi quaesitum fuerit ut unica determinaretur formula brevis in administratione sacramenti Extremae Unctionis in casu mortis imminentis, Emi ac Revmi Patres Inquisitores maturrime re perpensa praehabitoque Revmorum Consultorum voto decreverunt: in casu verae necessitatis sufficere formam: Per istam sanctam unctionem indulgeat tibi Dominus quidquid deliquisti. Amen."

There was at first some questioning as to the exact meaning of the decree, but this soon gave way to the following interpretation which is now all but universally accepted. The decree speaks only of the form, but it evidently supposes the use of that form with one unction. By a single unction the words of the form " Per istam " are fully verified. The decree cannot mean that the single unction is valid only in cases of necessity; for if one unction is sufficient for validity in any case, it is sufficient in all cases; but its use would be gravely illicit except in case of necessity.

This interpretation of the decree expresses the teaching of Lehmkuhl, Noldin, Gennari, Sebastiani, Pesch, Ferreres, Tanquerey, Kern, Sabetti-Barrett, and of the article on Extreme Unction in the *Catholic Encyclopedia*. Father Slater, S.J., is the most prominent of the few theologians who still deny that the single unction is certainly sufficient for validity. To say the least, his teaching is singular. Since it has against it the entire weight of historical evidence and the almost unbroken

phalanx of theological authority it may well be disregarded in practice.

Since one unction is sufficient for validity, the unctions of the five senses should not be added after the sacrament has been conferred in case of necessity by a single anointing. This, too, is the teaching of nearly all theologians to-day. To admit the validity of the single unction and yet permit the addition of the unctions of the senses would be inconsistent. Such a subsequent anointing would mean conferring the sacrament a second time; and the Church does not at present allow Extreme Unction to be conferred twice in exactly the same danger of death. This reason makes it unlawful to add the unctions of the senses on the plea of wishing to give integrity and completeness to the sacramental rite. Even though the added unctions be conditional, they are illicit because unnecessary. In this regard the testimony of the Roman Ritual is often cited. The Ritual gives the short form to be used in necessity and affirms that it is sufficient. It makes no provision for the addition of the usual unctions in case the person lives longer than expected. Surely such an omission would be incomprehensible if the short form were doubtful and the addition of the usual unctions a matter of obligation.

During most of the nineteenth century there was a tendency among theologians to set the tradition of the Schools above positive and historical theology; but the revival of historical studies in the latter part of the century brought into prominence anew the historical concept of the Sacraments. Nearly all theologians of recent times accept this concept and admit that certain traditional opinions of the Schools in regard to the Sacraments must be revised in the light of history. Indeed this is precisely what the Holy Office itself did by the decree of 25 April, 1906, giving a short form for Extreme Unction. The change in teaching and practice effected by this decision was merely a return to the usage of earlier centuries when a single unction was recognized as sufficient. The foregoing review of the history of the proximate matter of Extreme Unction indicates how solid was the foundation for that decision and how impossible it is to give to the decree any other interpretation than the one accepted by the great majority of theologians to-day.

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SCHOLASTICISM AND MODERN PHILOSOPHY.

PHILOSOPHY in its traditional meaning is Metaphysic. In other words, it has always been considered the object of philosophy to penetrate with the aid of reason and speculation into the recesses of reality, to advance beyond the knowledge afforded by sense perception of individual things; in a word, to give a rational account of the very nature of things and their relations: "scientia per ultimas causas." The desire of reaching these depths inspired the Schoolmen, and Scholasticism represents the results of their collective philosophical inquiries into the nature of things and phenomena. Now, Scholasticism finds itself opposed by what we may rather vaguely call Modern Philosophy in respect to its fundamental aim and its body of doctrines.

Modern Philosophy is not one well defined system of thought. There are systems upon systems irreducible to one another, ranging all the way from Hegelian Idealism to the workaday Pragmatism, and the diversity of 'isms is so rich that some sober minds have spoken of it as being the bankruptcy of all philosophy. It were a miracle, if each and every one of these systems were hostile to Scholasticism on every point. This is, of course, not the case. There are agreements, in spite of the general opposition in every department; and it must be said to the credit of Scholasticism that the agreements usually represent a return to doctrines never relinquished by the Schoolmen. Professor James styled Scholasticism the college-bred sister of common sense. This is the best distributed commodity in the world, and if it continues to assert itself among the adversaries of the "old views" as it has done for the last several decades, we shall see the agreements on individual questions grow even more numerous. Complete agreement does not, however, appear at all likely, if we look to the underlying convictions of Modern Philosophy. Here we face an attitude, a general tendency or a preconceived *Weltanschauung* which cannot be overcome by any one discovery, and which on the contrary most awkwardly puts off the day of reconciliation indefinitely. For Modern Philosophy is either professedly anti-intellectualistic and anti-speculative, because it pretends to be anti-metaphysical, or it labors in the service of pantheism, where fancy

carries speculation far beyond the control of logic and intelligence. It is a matter of Scholastic faith, which faith is founded on the facts of common sense, that modern thought can escape rational inanition only on condition that it revert to the ancient conviction that human endeavor is not limited in its research to the things that can be measured and weighed, and that speculation can be fruitful only so long as it respects the verdict of common sense which stands for separateness and individuality of substance.

But why, we may ask, has modern thought turned its back on Metaphysic? Historically speaking, Modern Philosophy is the descendant, not of Scholasticism, but of the empiristic philosophy of Bacon and of the intellectualistic system of Leibnitz. Of the two the empiristic strain is by far the stronger, because it received substantial aid from the experimental sciences which flourished so exuberantly in the nineteenth century and which matured the marvelous results of "Science." The scientific successes which will remain the boast of our times so fully vindicated the inductive methods of Bacon that philosophers could not resist the temptation to apply them also to the problems of philosophy, which speculation had failed to advance in hundreds of years. The lure of empiricism still holds philosophy captive, but we believe that it cannot successfully continue to do so, for the empirical methods, in spite of their success in science, do not satisfy our craving for knowledge, and the exclusivism shown toward speculation is by no means justified. The fact is that the natural sciences do not explain in their own name anything. The physicist, the chemist, the biologist, and the rest observe what can be observed; they experiment and classify their results and express the constantly observed behavior of things in so-called laws, which may or may not be correct and are never immutable, because they are formulations of experiences and are not born of absolute necessity. Where the highly refined instruments of observation fail, the constructive mind of the scientist postulates realities, which again may or may not exist, such as ether, atoms, electrons, etc. Thus it is seen that even the purely scientific mind is not content with classification and description of phenomena, with mathematical formulas and statistics of the observable, but that it goes beyond them to fathom the unseen and so un-

consciously slips into an inductive metaphysic. If these methods prove insufficient in the realm of concrete experience, they utterly fail in the exploration of the unseen reality.

Beyond the reaches of experiment lies the field of philosophy, as the Schoolmen have always held. When the atom or electron is reached, the speculative mind would know its very nature. Is it simple, homogeneous? It moves. Movement may be measured by the scientist; but what movement is and what it implies will never lie revealed to the finest instruments of the scientist. Causality, substance, spiritual soul, life, and a host of other questions baffle the inductive methods of research and they remain by all rights the legitimate objects of metaphysical knowledge.

A further reason for the predominance of the empiristic attitude in modern thought lies in the fact that it is an extreme position marking the limit of a reaction against the exaggerated form of intellectualism as exemplified in the philosophy of Hegel. Wolff and Kant had already made the unfortunate discovery that we have two instruments of knowledge: sense and intellect. In the philosophy of these men those two means became absolutely divorced from each other, whereas they really constitute the two elements of one cognitive faculty. The Scholastics held in highest esteem the dictum often ascribed to Locke: "nil in intellectu quod non prius fuerit in sensibus," and they never pretended that the intellect could make out anything about the universe of realities independently of sense cognition. Analysis did lead them to the recognition of a real distinction between sense and intellect, but they never reached the extreme view of Wolff, namely, that the two are separate means of cognition, no more than that matter and form in material things could exist apart from each other, because they are really distinct elements of a thing.

Of this *proton pseudos* of modern philosophy the system of Hegel was begotten. Hegel attempted the prodigious feat of deducing logically with the aid of intellect alone our entire stock of knowledge of reality. He constructed a real world *a priori*, which, alas, in many respects bore little resemblance to the world known to science, and with the growing prestige of the natural sciences, which was entirely warranted by the results achieved, the cultivation of intellectualistic philosophy

of the predominantly Hegelian variety had to diminish. Experiment replaced empty speculation. "Science" assumed the rôle of tutor to philosophy, and the early empiristic impressions wrought upon it were bound to tell in the course of time. The work of Galton and of Fechner, the philosophy of John Stuart Mill, of Spencer, and the vast host of modern psychologists fell almost completely under the spell of the inductive methods. We may say that this is human, and so it is, but it is also unnatural and from the point of view of philosophy most lamentable.

It is interesting to note that modern philosophy of the empiristic or positivistic type is hostile to Scholastic thought only in so far as empiricism represents an excess. The sense of reality and the seriousness of philosophic inquiry, which had been the outstanding characteristics of the Schoolmen in the earlier centuries, have preserved subsequent generations from the temptation to construct with insufficient material an elaborate system of thought which can boast only of coherence and esthetic appeal, such as the system of Hegel. Scholasticism looks to reality, where it finds its problems. Once the real truth is known, it will be found that the sciences have not a stronger ally than Scholasticism when properly understood. And it must be so. For, whatever the pretensions of modern thought may be, the scientist in all his research starts with what is termed the naive-realistic assumption that there is a real world upon which his mind is to work. He does not countenance the doctrine of Solipsism, according to which each man becomes a law unto himself, an isolated individual; he does not hold that the external world is the product of his mind, projected somehow outside himself for no known reason; that movement is unreal or that there is no abiding substance. These modern doctrines would render all his efforts at control of natural forces and the establishment of physical and chemical laws utterly ridiculous. The scientist, like the Schoolman, is guided by common sense.

In so far then as modern philosophy repudiates the idle deductions of the subjectivistic systems we are in hearty accord; our fundamental dissension concerns the metaphysical realities, which, we believe, are not the fanciful assumptions of idle minds. Philosophy will inevitably come back to them as it

becomes increasingly apparent that empiricism cannot give a satisfactory account of the phenomena known to science. We know, for instance, that the efforts to construct a psychology without a soul have failed. Crass materialism tried to accomplish it by saying that thought is the secretion of the brain, as the bile is that of the liver. This solution is to-day given up as being all too crude and impossible. A more refined empiricism taught that the soul is for the psychologist a "stream of consciousness". Here the difference between mind and matter is frankly recognized, but the substantiality of mind is reduced to movement. When we demand an explanation of the facts of memory, of consciousness, judgment, without an abiding mind, we are answered with an irrelevant metaphor: "One conscious state, the present one, falls heir to all that the preceding one possessed." How one moment can inherit another with all that it holds, instantly to disappear itself, is a "metaphysical" question, and therefore of no real importance. The metaphor will serve as a convenient cover to hide the multitude of unwelcome facts, at least for the thoroughgoing empiricist; but the metaphysical problem remains. These solutions strengthen the position of Scholasticism. Experimental psychology so far has not unearthed one sober fact which would warrant the surrender of the traditional verdict that there is in man a spiritual, substantial being called soul. On the contrary, the more carefully the phenomena of consciousness are scrutinized, the more it becomes evident that Aristotle and the Schoolmen were fundamentally right. Corroboration comes unsought from the side of the moderns. Professor Ladd, for example, clearly sees that the physical law of the conservation of energy finds no application in the world of psychic phenomena, that the brain is not identical with soul, that there is a real interrelation of a causal nature between body and soul or mind, and that the mechanistic explanation of soul activity is hopelessly incompetent to explain anything.

The important thing however is not that this or that psychologist, unwittingly perhaps, supports the Scholastic conception of mental life, but that modern psychology is finding its way back into metaphysic, the very basis of all philosophy. Psychology is the open doorway to philosophy and many there are who are making extraordinary efforts to keep from enter-

ing it. Consciousness is forever asserting itself as being manifestly above the things of sense, and the modern psychologist must accept it or renew his first act of unbelief. And, even in this act of the will there stands the Ego speaking for itself with the honest conviction of thousands of years.

Some modern Scholastics have looked askance on the cultivation of this " new " science, principally because the preachers of a wild and dogmatic materialism had heralded it as the perfect weapon with which to batter down ancient superstitions fostered by an antiquated system of metaphysic. These early sanguine hopes are shattered and Materialism is gone from respectable society. We do not mean to imply that the endeavors of the experimentalists have been futile. They have afforded valuable statistics, and scientific observation has brought out minute details which ordinary introspection would probably never have raised to the dignity of an established and general truth. Facts have always been the starting-point of a rational philosophy. It is of the greatest importance to know exactly how a deliberate act is concretely placed or a concept formed, to know the whole phenomenology of cognition, volition, and emotion, if only for the purpose of making it clear that all conscious elements of a sensory nature taken together do not suffice to explain consciousness and the higher mental activities. This means that Metaphysic comes into her own. It may be doubted whether modern philosophy will ever accept the theory of the *intellectus agens* and *possibilis* in their traditional meaning; but it must recognize that their equivalent must be found. While the experimental psychologist preaches with religious fervor the vanity of all metaphysic, the still small voice of reason continues to call for it.

If the facts of experimental psychology seem to give hope of an ultimate reconciliation between Scholasticism and modern thought, there is another obstacle in the way of an understanding which may prove insurmountable—the preconceived *Weltanschauung*. Behind all the individual modern theories and explanations that so rudely shock our native good sense there lies a *Weltanschauung* solidly entrenched and resting on a will to believe what reason cannot approve. In manifests itself sometimes very directly in the preface on modern works, and it invariably takes the form of a warm and almost im-

patient protest against the medieval conception of a soul, which in some mysterious manner directs and controls our volitions and cognitions. Some writers on psychology confine their attention to the experimental work and profess not to venture into the field of metaphysic, declaring that they have to do with the measurable and observable, and yet they feel that they would be delinquent to their duties as good empiricists, if they did not at least in passing pay their respects to Hume "who forever destroyed the notion of substance." Such is the power of prejudice.

Of course, the Schoolmen too have a *Weltanschauung*, and we can admit that it is the life and breath of Scholastic thought. The modern philosopher knows this and we continually have it dinned into our ears, that a Catholic cannot be a true scientist, because he is not *voraussetzungslos*. The late Professor Paulsen was especially insistent—for example, in his *Philosophia Militans*—that the Catholic is shackled by an Infallible Authority and the interests of his Church, and therefore is not free to accept sincerely the verdict of science. In the same volume he exalts Kant as the philosopher of Protestantism, the exponent of the Reformation. Mountain upon mountain of facts refuting the conclusions of Paulsen would not shake his Protestant *Weltanschauung*. Our own deepest conviction is the Catholic Faith, which we consider far more valuable than all the philosophical systems and niceties. The existence of a personal God, the immortality of our soul, etc., are facts of transcendent truth and importance and we should never accept a philosophy which makes faith in these truths impossible. We are however fortunate in that these truths are also revealed. They are not the creations of our wishes, but a strong help given by Him who has made and adjusted our reason and intelligence to the cognition of truth. The same cannot be said of modern philosophy.

Are we not then surrendering our rights to be heard before the tribunal of reason, if we accept certain doctrines as settled for us by Revelation? Are we not just as unscientific as, for instance, the materialist who finds that a spiritual soul is a marplot in his psychology? Of course not. Whatever the faith of the Scholastic may teach him, he does not appeal to Revelation to prove his views. Starting with facts of experi-

ence and guided by reason he establishes on scientific or philosophic grounds the thesis he defends and is willing to rest his case on that basis. His course is absolutely logical. The materialist and the idealistic pantheist, however, while they recognize only reason and experience as sources of knowledge, accept a *Weltanschauung* which finds no vindication before the bar of reason. With them an unreasoned supposition, and not divinely revealed truth, tries to bend the facts of experience and of consciousness into the narrow frame of their *Weltanschauung*, instead of listening to the conclusions reached by the facts. It is unreasonable to declare that there is no spirit, no hyperphysical soul, before the facts are known. So much the worse for the facts; but they have so far proved more stubborn than the modern more or less plausible theories and obscure explanations.

It is unavoidable that the diversity of philosophical opinion be great, as in fact it is in modern philosophy, if the facts must follow the explanation dictated by an unreasoned attitude, and the rational methods must give way to dogmatism. And so it is indeed. Trendelenburg says that some of the modern philosophers would blush with shame, if they saw their doctrines presented in the sober form of the much maligned syllogism. Ebbinghaus, we think, is a fair representative of them. His *Abriss der Psychologie* is considered a standard work, and yet, beside the really admirable observations covering the study of the nervous system, beside the minute and painstaking description of the physiological processes that accompany the psychic activities, there runs a current of superficiality, with a lack of critical thought, which more than justifies the remark of Trendelenburg. Spinozistic monism has conquered the psychologist, and the *selbstständige Seele* must go. The soul, he argues, cannot be conceived as an independent, spiritual substance, totally unlike matter and space, because of the localization of functions on the cortex of the brain. If the soul is conceived as an independent substance acting on the brain and being acted upon it, it is necessarily material. But he will not be a materialist, but a Spinozistic monist, and he therefore identifies brain and soul and makes them one being, which is conscious of self and of other beings. With this his rational demands are satisfied. Turning his attention to the traditional concep-

tion of the soul, which of course is hopelessly antiquated, he finds that it will not square with the principle of the Conservation of Energy. We might argue, as many have done, that this principle is a physical and not a psychic law; but Ebbinghaus shuts off all means of escape by an appeal to the experiments of Atwater. This scientist experimented on five educated subjects and found that the amount of heat given off by the organism, when doing mental work, stands in direct proportion to the amount of nourishment taken in: hence there is no room for independent, substantial souls. If further proof were needed, he reminds us that it does not follow that there are such souls, because he cannot positively show that they are not somewhere in the brain playing "spooks." The alternative, therefore, stands: the dogma of Monism.

This method of philosophizing is by no means a peculiarity limited to Ebbinghaus: it is an affliction of Modern Philosophy of the anti-metaphysical variety. What is "modern" about it? The attitude is as old as Democritus and Epicurus; the conclusions are certainly older than Scholasticism; the psychological facts are as ancient as the human race, and there remain only some physiological phenomena and their measurements, which in no way demand a departure from the Scholastic doctrines. Critical examination of these phenomena rather leads back to Scholasticism.

If we have confined our attention in the foregoing remarks to the study of psychology, it is because psychology was supposed to undo Scholastic metaphysic definitely. We have nothing to fear from it and dare expect to see it become a strong support of our fundamental views. Irresponsible dogmatizing, loose reasoning and equivocation cannot lead to permanent results in any branch. That is why the hardheaded scientist passes round the 'isms and relies on common sense; he ought to prove our strongest ally.

As for the materialistic and pantheistic attitude, there we are helpless; reason is outmatched when pitted against feeling and prejudice.

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PRIVILEGES ATTACHED TO THE SCAPULAR DEVOTION.

AFTER a person has been enrolled in the Scapular of Our Lady of Mount Carmel by a priest possessing the necessary faculties and who afterward sends the name to be inscribed on the register of the nearest Carmelite Monastery or canonically erected Confraternity, the enrolled person shares in a rich mine of spiritual favors. This right to the indulgences and privileges and spiritual comradeship brings with it a corresponding obligation, that is, to be faithful to the rules and to live according to the customs and traditions of the Confraternity. The observance of rules and the living according to acknowledged principles suggest what the theologian would term *onera*, but, for the present at least, we shall call them obligations. In so far as the mere wearing of the Scapular is concerned, these obligations are of the simplest kind, and we shall term them general obligations. Later we shall see there are other obligations attached to the Scapular and those we shall name special obligations.

The editor of the *Decreta Authentica* mentions two general obligations, namely, that the wearer of the Scapular should have been enrolled by a priest who has the necessary faculties and uses the accustomed formulas, and secondly that the person enrolled should wear the Scapular always and in the proper manner.[1] As a matter of fact, there is only the one obligation for the wearer, since the first is the ceremony of initiation. Neither do I consider the necessity of living a Christian life one of the obligations of the Scapular, for that is an obligation on every one of the faithful even though the Scapular is never worn. Briefly, then, I may state the doctrine thus: to gain the promise made to Saint Simon Stock by the Blessed Virgin the wearer of the Scapular has one obligation, namely, to wear the Scapular in the prescribed way. That promise, as generally known, is that "all who die wearing the Scapular shall never suffer eternal punishment."[2]

[1] Obligationes confratrum ad supradicta consequenda: 1. ut quis S. Scapulare a sacerdote deputato cum solitis ceremoniis recipiat; 2. ut illud humeros portet; et si fuerit attritum, aliud sive benedictum, sive non benedictum absque alia nova ceremonia assumendum est. Nota ad Decr. Auth. p. 475. *Summaria.*

[2] Apparuit mihi cum grandi comitatu, et tenendo Habitum Ordinis dixit, "hoc erit tibi et cunctis Carmelitis privilegium, in hoc moriens aeternum non patietur incendium" (*Frag. Swanyngton*; cf. *Scapulare* B. V. M. p. 26, Romae 1915).

The element of quasi-predestination that seems to accompany this promise need not affright anyone, for the theology of the promise is sound and wholesome. Doubtless it may be, and has been, abused; but the faithful in general make no mistake as to the real value of the promise or its place in Christian life. I have no fear that the faithful will rush to a dangerous extreme in a devotion like that of the Scapular; as for the vagaries of individuals, all we can say is, What devotion, however sacred, is free from the pernicious influence of their misguided zeal? If we can pray for predestination, why not by works make our prayers more acceptable? One way to second our prayers is to wear the Scapular. The Scapular is not a necessary means to the attaining of this inestimable gift; at most it can never be more than a conditional means since the life of the wearer must be consonant with what the habit signifies and demands.

Although the wearer of the Scapular may live a sincere Christian life, the wearing of the Scapular is for him a real special grace, for it gives him another claim to the attaining of the end for which he is ever working.[3] Should he have fallen away from his former loyalty to the devotion of the Scapular and turned aside into the paths of vice, the emblem of God's Mother that he still bears on his person, is a daily reminder of his dangerous state. Faithful comrades in the Confraternity do not forget him, and throughout the wide world prayers are ascending to God for the prodigal's return, and Mary the Mother of God will not forget him. The priest, whether he be missionary or parochial, can bear testimony to the many times he sees extraordinary changes of life without any seeming sufficient reason: sometimes these changes are at the critical hour that heralds the dawn of another world. Certainly, not all such changes can be attributed to the Scapular, but who would care to deny the devotion, so efficacious to inculcate confidence in the Mother of God, at least a share in some such changes?

[3] Mais la persévérance finale dans le bien n'en est pas moins une grâce toute spéciale que la très sainte Vierge selon la promesse qu'elle a faite met toute sa sollicitude à obtenir aux membres de la confrérie." IIe partie, IV Section, p. 199, Beringer.

There is no mistaking what the great body of the faithful expect from the promise. For the sake of the promise itself it might be opportune to ask, What do those men think to whom we look for guidance when there is any passing doubt as to the place of our common devotions in the sphere of Catholic life?

Benedict XIV, one of the most learned of the Popes, writes: "Ac visionem quidem veram credimus, veramque habendam ab omnibus arbitramur";[4] and, proceeding to quote one of the greatest hagiologists, if not the greatest, namely Papebrock, he endorses his remark anent the promise: "nihil quod improbaret, se in ea visione reperisse, postquam legerat, quae scripsit Suvanington; de explicationibus, quas PP. Carmelitae tribuunt illis verbis 'In quo quis moriens aeternum non patietur incendium'", ita ait: "Ego in illis nullam video difficultatem. Ea enim Patres Carmelitae tam commode exponunt ut facile evadant omnem justam reprehensionem; neque nata sint (sicut calumniantur nonnulli) stolidam fiduciam ingerere peccantibus adipiscendae salutis, quomodocumque ducatur vita".[5] The greatest of all controversialists, since the time of the Fathers, was deeply attached to the devotion of the Scapular; indeed it was he, Cardinal Bellarmine, who wrote the lessons for the Feast of Our Lady of Mount Carmel in which is related the doctrine contained in the Sabbatine Bull.[6] What historical value we may attribute to the story told of the deciding factor in the issuing of the decree of the Roman Inquisition of 1613, it is not for us at present to discuss: it is related that one of the Cardinals engaged on the Commission on the morning when the Committee of Cardinals was about to give the decision as to the value of the Sabbatine Privilege, happened to be in the church of the Discalced Carmelites, La Scala, and he picked up a breviary in which he read the words of the lessons written by Cardinal Bellarmine. After reading the testimony of the greatest genius of his age, the Cardinal at

[4] Benedicti XIV Pont. Opt. Max. olim Prosperi Card. de Lambertinis, De Festis Domini Nostri Iesu Christi Beatae Mariae Virginis et quorumdam sanctorum, Romae, MDCCLI, p. 476, De Festo B. V. de Monte Carmelo.

[5] Responsiones ad P. Sebastianum a S. Paulo par 2, ad art. 20, n. 18. Cf. De Rev. Accusatio II, n. 28 ad XX, necnon n. 19-25.

[6] Carmelite Breviary under Feast of Solemn Commemoration of Our Lady of Mt. Carmel. Lessons IV, V, VI, praesertim VI, incipit: "non in hoc tantum, etc."

once made up his mind as to the attitude that he should adopt in the light of this new evidence.[7] I give the story for what it is worth; nevertheless the underlying fact is beyond doubt, that Cardinal Bellarmine was an earnest advocate of the Scapular devotion.

My one idea in giving the above testimonies to the Scapular and its promise is to disabuse the minds of some who have thought that both the Scapular and its promise were food for the minds of the simple alone amongst the faithful. Those who have to deal with converts have the difficult duty of inspiring respect for the Scapular devotion as well as the other common devotions of the faithful, whilst it must be impressed on them that there is no obligation either to wear the Scapular or to accept the history of it. The common devotions so universally appreciated can be compared to the warm kiss of a mother; the relationship between mother and child is there without any such expression of love; nay more, there are natures that never feel the need of such expressions, natures that would consider any expression of the kind as sheer weakness. On the other hand, there are natures that look for such expressions, natures that without them should wither and die, but having once felt the warmth of a mother's kiss will rise to sublime heights so as to be worthy of a mother's love. One must not expect to find the common devotions of the faithful duly appreciated outside the fold of the Church; one must not try to measure one's appreciation of these devotions according to the standard of those outside the Church.[8]

Thus far I have endeavored to show the manner in which the promise of the Scapular has been received among the general body of the faithful, and it only remains briefly to remind my readers of the explanation on which their acceptance of it is based.

[7] It certainly is not the modern way a Cardinal goes to a Congress. It seems an impossibility that any Cardinal on such Commission could be ignorant of Cardinal Bellarmine's work.

[8] It may be remembered that Monsignor Benson's *Confessions of a Convert* contains a passage informing us that one of the obstacles he had to overcome was the popular devotions to the Blessed Virgin. One is hardly prepared for the passage taken from the *Life of Cardinal Vaughan* by Snead-Cox: "What could reach their hearts? Fewer repetitions of the Rosary, and instead the reading of the New Testament with unction in the Schools had been a plan mooted by Cardinal Manning." Vol. I, p. 480. One could scarcely conceive a more erroneous idea of the use as well as objective of the Rosary.

Beringer quotes at great length Benedict XIV, who likens the promise to certain passages of Scripture which taken in and by themselves would convey a meaning totally opposed to their real and true meaning: for instance, "a man is justified by faith," "we are saved by hope," but neither faith by itself, nor hope by itself, is sufficient for justification or salvation; something more must accompany the one and the other.[9] In a similar manner the wearing of the Scapular, by itself and in itself, is not sufficient; and what is wanting has been indicated by the Saint to whom the promise was made: "Make sure your vocation and practise good works".[10] Cardinal Bellarmine explains the efficacy of the Scapular in much the same manner.

The wearers of the Scapular who desire to obtain the spiritual benefits of the Sabbatine Privilege have other obligations which I have already called special obligations.[11] The fact of wearing the Scapular of Our Lady of Mount Carmel, without, at the same time, complying with the obligations required by the Sabbatine Privilege, gives one no right to the spiritual benefits contained in the Bull. To avoid all semblance of controversy, I shall, in a few words, give what is generally received by those who wear the Scapular as the Sabbatine Privilege; neither shall I turn to a defence, much less to an attack. In order to preserve this state of neutrality, I shall content myself by quoting the words of the Roman and Universal Inquisition, which, under Pope Paul V, gave the following decision when the question had been hotly discussed in more than one country of Europe.[12] "It is lawful for the Carmelites to preach that the faithful may piously believe in the succor promised to the Brethren themselves and also the members of the Confraternity of the Blessed Mary, Virgin of Mount Carmel, namely, that the Blessed Virgin will assist by her continual intercession, suffrages, and merits, and also by her special protection, parti-

[9] *Les Indulgences*, IIe partie, IVe Section, p. 197. Cf. *De Festis*, p. 477.

[10] Fragmentum Swanyngtoni apud Cheron; cf. Scapulare B. V. M., Roma, 1915, p. 26.

[11] Cf. *Obligationes particulares pro consequendo privilegio Bullae Sabbatinae*, Decr. Auth. Summaria, p. 475, nota.

[12] Amongst the objections was one from the King of Spain through the keeper of the royal exchequer that the abstinence commanded by the Sabbatine Privilege deprived the Portuguese treasury of 30,000 scudi per annum. The decree of the Inquisition was published 20 January, 1613.

cularly on the Saturday after their death (which day has been dedicated to the most holy Virgin by the Church), the souls of those Brethren and members of the Confraternity who depart this life in charity and who whilst living on earth have worn the Habit, observed chastity according to their state of life and who shall have recited the Little Office,[13] or if they know not how to read, shall have observed the fasts of the Church and shall have abstained from flesh meats on Wednesdays and Saturdays (unless the Feast of the Nativity of Our Divine Lord is celebrated on that day)." In these few words we have the object of the Privilege, and also the obligations incumbent on those who wish to participate in the spiritual fruits.[14]

Those who can recite the Little Office of the Blessed Virgin are bound to do so, but the fulfilling of the obligation is rendered easy by the permission given by the Sacred Congregation, namely, that the Little Office may be recited in the vernacular, that is in the spoken language of the member of the Scapular Confraternity. The Latin was of obligation in the beginning at every recital of the Little Office, whether in public or in private, and is still retained for any recital that partakes of the nature of a public expression of the Church's worship, that is, when the Office is recited in choir, or what is equivalent to choir. This is easily understood, since the language of the Church is the Latin idiom. An exception is made in the case of those languages peculiar to the rites approved by the Holy See; the wearer of the Scapular can obtain the Sabbatine Privilege by the recital of the Office in such languages.[15]

As has been remarked before, the Office originally intended to fulfil the obligation of the privilege was the Divine Office; hence, it is scarcely necessary to add that all priests and all religious who are bound to recite the Office in choir, or in private, can gain the privilege by having the intention of so

[13] I have copied "the Little Office" as in the decree, but in the institution of the Privilege it was really the Divine Office.

[14] Fr. Zimmerman, one time, wished to trace the origin of the word *Sabbatine* from *Subito*, hence corrupted into Sabbatine, since the help of the Blessed Mother is to come *Subito* after death. The derivation does not seem to have pleased anyone.

[15] S. Cong. Indulg. 14 June, 1901. *Acta Sanctae Sedis* (1901-1902), p. 120; also Decr. Auth. p. 369.

doing, whilst engaged in the recital of the Office to which they are obliged. This is equally applicable to nuns who recite the Office, either from obligation or custom. Neither must it be forgotten that when the Office they recite is the Little Office (and it matters not whether they are bound to it or recite it for private devotion), they can gain the Sabbatine privilege by uniting that intention with any other they may have. Here, it may be remarked that a dispensation from the Office does not mean a dispensation from the requirements of the privilege; neither does the fulfilling of the conditions of the dispensation mean the fulfilling of the requirements for the privilege. The obligation of the Little Office or the Divine Office may be commuted by the confessor of the person, as we shall afterward see.[16]

The decree of the Inquisition provides for those who cannot read and substitutes for the Office abstinence on Wednesdays and Saturdays and at the same time a faithful observance of the fasts of the Church. If the Feast of the Nativity falls on any of the days, then there is no obligation to the fast or abstinence.[17] In some countries, because of special circumstance the Holy See had dispensed with the obligation of fast and abstinence on Fridays. Arising out of this legislation came misgivings as to the position of those who wore the Scapular and desired the Sabbatine privilege. The doubt was thus expressed to the S. C. of Indulgences, "Could one who desired to obtain the spiritual fruits of the Sabbatine privilege avail of the dispensation thus given to the general body of the faithful in that country?"[18] The answer was "The faithful of those countries could take advantage of the dispensations granted on the Fridays," and the clause was added, "ad effectum fruendi privilegio Sabbatino." This answer is in strict accord with the spirit of the obligation included in the privilege, for since the Holy See had dispensed with the fast and

[16] The reply of the S. C. as to the parts of the Little Office to be recited was: "Recitandum esse Nocturnum diei cum Laudibus et ceteras Horas ejusdem officii". 1868, 18 August.

[17] "vel si recitare nesciant, Ecclesiae Jejunia observaverint, et feria IV et sabbato a carnibus abstinuerint (nisi in iis diebus Nativitatis Domini festum inciderit)".

[18] "Tenentur quoque eam servare feria VI, uti reapse tenentur fideles non americani latini?" *Acta Sanctae Sedis.* 1901-1902, p. 120.

abstinence in those countries, there was no obligation on any one to abstain, so that even for the Scapular sodalist no fast or abstinence existed.

Where the dispensation came immediately from the Holy See, the difficulty in regard to the days of fast and abstinence commanded by the Church could easily be reconciled with the demands of the Sabbatine privilege; but when the permission came through the Ordinary of the diocese it was not so apparent that the wearer of the Scapular could take advantage of the dispensation. The question was therefore proposed to the Congregation, but the solution seemed to the members of such import that the matter was referred to the Holy Father, "Supplicandum SSmo". Leo XIII then declared that, in so far as the Church fasts were concerned, all those who wore the Scapular and desired to gain the Sabbatine privilege could avail themselves of the diocesan dispensations; in regard to the abstinence on Wednesday, the faculty of commuting the obligation of abstinence into some other pious work would be granted to the confessors, so that each one desiring to enjoy the diocesan dispensation could obtain it from the confessor.[19]

How far these mitigations of the demands of the Sabbatine privilege departed from the ancient observances of those wearing the Scapular can be seen from the answers given by the Congregation of Indulgences so late as the year 1892.[20] The first question was of this nature: Was it a mere matter of choice whether one recited the Little Office of the Blessed Virgin, or observed the abstinence on the Wednesdays; or, on the other hand, was each person desirous of obtaining the Sabbatine privilege obliged to recite, if he could do so, the Little Office? To the first part of the question it was answered: *Negative*; to the second part the answer was *Affirmative*. In other words, those who could recite the Little Office had no option, but must remain faithful to the strict letter of the demands of the Sabbatine privilege. However, the question that most interests us at this stage is, "In a country whose population enjoys the dispensation contained in the *Bullae Cruciatae*

[19] "Facta Confessariis facultate commutandi singulis petentibus abstinentiam feriae IV et Sabbati in alia opera: atque utrumque valere pro omni regione declarare dignetur,"—l. c. ad III.

[20] *Acta Sanctae Sedis*, 1893, p. 430.

are those who desire to obtain the spiritual fruits of the Sabbatine privilege permitted to avail themselves of the aforesaid dispensations, without losing their right to the spiritual fruits desired?" The response was: *Negative*. Both answers were in strict accord with the ancient discipline. Neither are we surprised at the reply to the supplication that the wearers of the Scapular desiring the benefit of the Sabbatine privilege were not allowed to avail themselves of the dispensation usually given for the occasional eating of flesh meat during Lent. It must be remembered that it was at one time seriously discussed whether the use of lard, etc., was permitted to those who desire the Sabbatine privilege, on those days of abstinence prescribed by the privilege.[21]

The measure of the fast and abstinence was at first based on the Carmelite Rule which reads as follows: "Esus carnium prohibetur; nomine carnium intelligere debemus, nedum veras carnes, sed etiam quae cum carnibus magnam habent propinquitatem, ut sunt sanguis, lardum et sagina, et quae per concoctionem cum carnibus de illarum qualitate participant, ut sunt jus, legumina, olera, et pulmenta, idque ex nostra regula colligitur."[22] Stratius, General of the Order, gives what we may call a very liberal interpretation of the permission to use, as condiments, lard, etc., namely, that since the mitigation of the Rule granted by Innocent IV allowed the Carmelites the use of vegetables cooked with such condiments, lest, in their travels, they should give inconvenience in those houses wherein they rested, so it was allowed to the members of the Confraternity to enjoy the same privileges; and, since as a rule it would cause inconvenience in their homes to demand something that the other members of the family did not desire, there was sufficient reason for the members of the Confraternity to use the privilege in regard to the use of the condiments mentioned; since however the privilege of eating vegetables thus cooked was not permitted to the Carmelite Friar in his own convent, neither was the same privilege allowed to the members of the Confraternity when they could without any inconvenience live up to the demands of the Sabbatine privilege.

[21] Abstinentia a carnibus quaque feria IV praescripta non excludit usum ovorum et lacticiniorum. *Acta Sanctae Sedis*, p. 430, ad II; 1892.

[22] *Instructio pro Fratribus Carmelitis* a P. Magistro Theodoro Stratio, Romae, 1640, p. 104, cap. XII.

In reading the decision of the Inquisition we see that the recitation of the Little Office can be dispensed with in the case of those who cannot read, and, in its place, the obligation of abstinence is substituted; as we have seen, it was later enacted that one who could not observe the abstinence on the prescribed days would obtain from the confessor permission to substitute for the abstinence some pious work within the compass of his capabilities. What the nature and extent of this latter substitute is to be can be determined by the confessor of the person seeking the commutation, and his directions may be followed without any misgiving.[23] Different substitutes have been suggested. In the earlier years it was suggested that, as the Carmelite lay brothers were supposed to fulfil the obligation incumbent on them because they were not able to recite the Divine Office, by the recitation of twenty Pater Nosters for Matins, seven Pater Nosters for Lauds and the other Hours, and fifteen for Vespers, that those who were members of the Confraternity should fulfil their obligation in a similar manner, since they could not recite the Office as required by the Sabbatine privilege. It was, however, reasonably concluded that, since the recitation of the Office was for some an impossibility, and that the obligation of fast and abstinence was also, in the degree desired, impossible, the nearest approach to the fulfilment of the required conditions or obligations would be acceptable to the Blessed Virgin. The interpreter of this substitute for the required obligations could be no other than the Vicar of Christ, who in his wisdom has given the determination of the substitute to the priest who is the confessor of the person seeking the spiritual fruits, whilst still unable to comply with the letter of the law. The opinion of the old Carmelites on this point was remarkably sound and practical, amidst all their rigidity as to the fulfilling of the letter of the law, for the gaining of the Sabbatine privilege: "Addo nec aliquibus

[23] "Mentionnons ici l'erreur de ceux qui croient qu'il suffit, pour suppléer à toutes les autres obligations du privilège de la bulle sabbatine lorsqu'on est empêché de les remplir, de réciter sept Pater et sept Avé en l'honneur des sept allegresses de Marie. Il n'en est rien. La decision à cet êgard dépend uniquement du prêtre." Extract from P. Serapion. The idea that seven Pater Nosters and seven Ave Marias would supply the place of the fasting and abstinence arose from a reply of the Congregation that has nothing to do directly with this commutation; nevertheless, it is a very convenient and at the same time wholesome substitute and is quite suitable to many.

videri improbabile, quod Confratres nostri vere ob paupertatem, a qua obligantur pro victu sibi, et suae familiae procurando, quotidie laborare, vel ob aliquid aliud impedimentum, nulla indigent dispensione; et ducuntur, quia non videtur credibile, quod B. Virg. voluerit praefatos impeditos obligare ad jejunium toto tempore vitae duraturum, quare videtur probabile hujusmodi impotentibus, si ipsi alia servanda servaverint, B. Virginem suum speciale adjutorium non denegaturam." [24] It is worth noticing that it was along these lines the Papal legislation afterward proceeded, so that, where there appears a departure from the spirit of the requirements of these common devotions of the Church, there is in reality no departure but a sane and practical progress to the realization of the object of the devotion.

P. E. MAGENNIS, O.C.C.

Rome, Italy.

[TO BE CONTINUED]

[24] *Instructio pro Fratribus Carmelitis*, cap. XII, p. 103, n. 19.

Analecta.

ACTA BENEDICTI PP. XV

EPISTOLAE AD LUDOVICUM NAZARIUM S. R. E. PRESB. CARD. BÉGIN, ARCHIEPISCOPUM QUEBECENSEM, CETEROSQUE ARCHIEPISCOPOS ET EPISCOPOS REGIONIS CANADENSIS: MUTUAM INTER FIDELES CONIUNCTIONEM ENIXE COMMENDAT.

Dilecte Fili noster, Venerabiles Fratres, salutem et apostolicam benedictionem. — Commisso divinitus Nobis pascendi dominici gregis officio vehementer impellimur, ut, si qua inter Ecclesiae filios discidia commoveantur, unde pacem mutuamque coniunctionem in discrimen vocari contingat, ea quoquo pacto componere pro viribus studeamus. Quid enim tam rei catholicae perniciosum, aut quid a divinis praeceptis Ecclesiaeque principiis tam alienum, quam christifideles inter se studiis partium dividi? Siquidem *regnum in se ipsum divisum desolabitur:* et christianus populus, si quando *cor unum et anima una* esse desierit, ab illa sensim caritate desciscit, quae non modo est *vinculum perfectionis*,[1] sed christiani nominis praecipua ac prima lex,[2] cum eam humani generis Redemptor discipulis suis veluti testamento commendaverit,[3] eandemque

[1] Coloss. 3 : 14.
[2] Matth. 22 : 38-39.
[3] Io. 13 : 34; 15 : 12, 17; 17 : 11.

verae fidei signum et argumentum fore edixerit: *In hoc cognoscent omnes quia discipuli mei estis, si dilectionem habueritis ad invicem.*[4] Accedit quod dissensiones eiusmodi, praeterquam quod a Christi Domini spiritu longissime absunt, id quoque misere efficiunt, ut eos *qui foris sunt* a catholica fide magis magisque avertant, cum, contra, fraterna catholicorum consensio et caritas magno semper fuerit externis ad participandam eorum societatem invitamento.

Itaque in summa versamur sollicitudine, venerabiles Fratres, ob eas, quae inter catholicos istius regionis, quorum alioqui fides et pietas apud omnes pervagata est, abhinc aliquot annos exarsere simultates; quas quidem cotidie ingravescere et publicas iam factas esse, tum pluribus certisque argumentis comperimus, tum etiam a vobismetipsis edocti sumus.

Quaenam vero sit huius causa discidii, plane liquet. Cum enim ex catholicis Canadensibus alii, ex Gallis oriundi, gallico sermone, alii, etsi varia ab stirpe profecti, anglico utantur, idcirco inter se decertant, contendunt.

Franco-canadenses, quos vocant, recte omnia in sua Quebecensi provincia procedere affirmant; ast in Ontario aliisque locis, ubi suae stirpis familiae haud ita paucae vitam degunt, sermoque anglicus, procinciae lege, in usu est, non aequam haberi sermonis gallici rationem nec in ministeriis sacris nec in separatis catholicorum scholis, conqueruntur. Volunt igitur, ita, pro catholicorum utriusque linguae numero, sacri administri ecclesiis praeficiantur, ut, ubi Franco-canadenses sint numero plures, ibi sacerdos suae linguae ac stirpis sibi constituatur; in paroeciis autem, in quorum finibus iidem aliquo numero vivunt, in praedicatione verbi aliisque ecclesiasticis officiis sermo gallicus item atque anglicus adhibeatur; ut denique in separatis scholis, eo modo, qui, suo ipsorum iudicio, plenior aptiorque videatur, pueri gallicum sermonem doceantur.

Contendunt ex adverso alii, in Ontario ceterisque linguae anglicae provinciis catholicos pauciores esse quam acatholici, tametsi Franco-canadenses catholicis alterius linguae praestent alicubi numero; in designandis vero ecclesiae administris rationem ducendam quoque esse tum eorum qui ad veram religionem converti possint ac debeant, tum linguae quae pro-

[4] Io. 13:35.

vinciae sit propria, tum etiam aliarum locorum personarumque condicionum, neque inspecta tantummodo maiore catholicarum stirpium parte rem dirimi posse. Addunt, haud raro sacerdotes Franco-canadenses anglicum sermonem aut minus probe nosse, aut non optime loqui, aut suae gentis linguae postponere: ex quo accidere, ut in ministerio exercendo vel parum proficient vel non eam praestent operam, quam locorum necessitas postulat. Ad scholas separatas quod attinet, si gallicus sermo sic traderetur, quemadmodum Franco-canadenses poscunt, id rectae puerorum institutioni in sermone anglico, provinciae proprio, graviter obfuturum, non sine parentum offensione, qui cogerentur vel sumptu suo mancam supplere institutionem ut filii anglicam linguam perfecte absoluteque addiscerent, vel, catholicis scholis posthabitis, filios ad publicas seu *neutras* mittere, quod omnino nefas; ea denique institutionis ratione facile excitam iri gubernatorum invidiam in scholas separatas, quas si de communis utilitatis negligentia argui liceret, in discrimine versari posset ipsum legis de propriis catholicorum scholis beneficium, quod incolume servari religionis quam plurimum interest.

Atque utinam haec omnia sedate placideque disceptarentur! Verum, quasi in causa sit gens vel religio ipsa, in diariis et ephemeridibus, in libris et opusculis, in privatis colloquiis et in publicis contionibus, tam acriter exagitantur, ut, animis magis magisque incensis concitatisque, discidium inter utramque partem cotidie insanabilius evadat.

Huic tanto incommodo ut opportuna adhibeamus remedia, placet, venerabiles Fratres, quos Nobis coniunctissimos novimus, vobiscum consilia Nostra communicare. Sciatis, rem vos facturos, qua nulla Nobis optatior, si omni contentione enitemini, ut, cum pacis caritatisque muneribus, consensus atque coniunctio inter fideles procurationi vestrae creditos denuo consistat. Verba apostoli Pauli Nostra facimus: *Obsecro vos, fratres, per nomen Domini Nostri Iesu Christi, ut idipsum dicatis omnes, et non sint in vobis schismata: sitis autem perfecti in eodem sensu et in eadem sententia* [5] *. . . supportantes invicem in caritate, solliciti servare unitatem spiritus in vinculo pacis.*[6] Filii enim sumus eiusdem Patris, eiusdem divinae mensae

[5] I Cor. 1:10.
[6] Eph. 4:2-3.

eorumdemque sacramentorum participes, ad eandem vocati beatitatem: *in unum corpus baptizati . . . in uno Spiritu potati.*[7] *Quicumque enim in Christo baptizati estis, Christum induistis:* [8] *. . . ubi non est gentilis et iudaeus, circumcisio et praeputium, barbarus et Scytha, servus et liber, sed omnia et in omnibus Christus.*[9]

Quod si fideles regionis istius, ratione familiarum ac stirpium, non idem sentiunt, et *angustiantur vasa carnis,* at contra oportet, suasore Augustino,[10] ut *dilatentur spatia caritatis.* Si vero ex aequo bonoque et ex sola caritatis lege nequeant omnia componi, sunt in Ecclesia, a Spiritu Sancto positi, qui iudicent, et quorum sententiae parere fideles debeant, si velint Christi esse et haberi nolint *tamquam ethnici et publicani.*

Controversias igitur dirimere, quas inter se habent catholici Canadenses de utriusque sermonis iuribus et usu in sacris aedibus et in scholis catholicorum propriis, Episcoporum est, eorum praesertim qui iis praesunt dioecesibus ubi plus ardet contentio. Quare hortamur in unum conveniant, rem tam gravem diligenter considerent atque perpendant, propositaque sibi unice Christi causa animarumque salute, quae iusta et opportuna visa sint, statuant ac decernant. Quod si, quavis de causa, eorum sententia definiri quaestio ac terminari nequeat, rem ad Apostolicam hanc Sedem deferant, quae causam ad iustitiae et caritatis leges sic dirimet, ut fideles pacem mutuamque benevolentiam, sicut decet sanctos, in posterum conservent.

Interim autem, diaria et ephemerides, quae catholico nomine gloriantur, oportet discordiam inter fideles ne alant, neve Ecclesiae iudicium praeoccupent; quae qui conscribunt, si patienter modesteque siluerint, si animis sedandis dederint ultro operam, rem professione sua omnino dignam fecerint. Abstineant item se fideles ab hac quaestione in popularibus comitiis, in contionibus, in coetibus catholicis proprii nominis pertractanda; fieri enim paene nequit, quin oratores studio partium abripiantur novasque incendio tam vehementi faces admoveant.

Quae vero omnibus paterno animo praescribimus, ea quidem clerus sibi in primis praecipi sciat. Cum enim sacerdotes forma

[7] I Cor. 12 : 13.
[8] Galat. 3 : 27.
[9] Coloss. 3 : 11.
[10] Sermo LXIX, Migne, P. L., t. 38, col. 440.

gregis fieri et esse debeant ex animo, eos plane dedecet ista aemulationis invidiaeque tempestate iactari. Quare peramanter eos admonemus ceteris e populo praeeant, tum moderatione et benignitate animi, tum sacrorum Antistitum reverentia, tum denique obedientia, in iis potissimum quae ad iustitiam et disciplinam ecclesiasticam pertinent et de quibus Ecclesia iure suo decernit. Certe spirituali bono et concordiae catholicorum utriusque linguae valde est profuturum, si sacerdotes utrumque sermonem callebunt omnes. Quamobrem mirifice delectati sumus cum accepimus, in nonnulla seminaria eam inductam esse disciplinam, ut clerici et gallice et anglice loqui perdiscant: quod equidem velimus exemplo esse ceteris. Studeant interea sacerdotes, qui sacris ministeriis vacant, in utraque lingua peritiam usumque habere, invidiisque omnibus amotis, modo una, modo alia utantur, pro fidelium necessitate.

Sed cum de scholis, quas catholici in Ontario habent, contentio sit acrior, videtur propria quaedam de iis attingere.

Nemo unus negaverit, Ontarii gubernatores exigere merito posse, ut anglicam linguam, quae propria provinciae est, pueri in scholis doceantur; itemque catholicos Ontarienses iure postulare, ut in separatis scholis ea tam perfecte tradatur, ut eorum filii pari condicione sint ac pueri acatholici qui scholas *neutras* celebrant, atque haud ita minus idonei evadant tum altioribus scholis adeundis, tum officiis civilibus assequendis. Neque vero est, cur abiudicetur Franco-canadensibus, qui eandem provinciam incolunt, ius flagitandi, debita tamen ratione, ut in scolis, quas eorum filii aliquo numero frequentant, gallica lingua tradatur: nec profecto videntur iidem obiurgari posse, quod rem sibi suisque caram tueantur.

Meminerint tamen catholici istius regionis, unum maxime omnium interesse, idest catholicas haberi scholas easque nulla prorsus de causa in discrimen adduci, ut, dum pueri litterarum scientia imbuuntur, dicant quoque catholicam fidem custodire et Christi tum doctrinam aperte profiteri tum legem sancte servare: id enim et pietas in pueros et religionis bonum et ipsa Christi causa omnino postulat.

Quo autem pacto haec duo componi liceat, plenam videlicet in lingua anglica et aequam puerorum franco-canadensium in lingua gallica institutionem, manifesto apparet, si de scholis agitur publicae auctoritati subiectis, rem iniussu eius definiri

non posse. Quod tamen minime prohibet, quominus sacrorum Antistites, pro suo curandae animarum salutis studio, sollerti actuosaque opera efficiant, ut moderationis consilia plus possint, et quod aequum et iustum sit, unicuique ex partibus tribuatur.

De cetero, venerabiles Fratres, ita fidei ac nativitati vestrae confidimus, vosque tam cognovimus et memores officii et de reddenda apud divinum Iudicem ratione sollicitos, ut pro certo habeamus, nihil vos reliqui facturos, quod ad damna removenda pacemque restituendam tentari possit. Itaque cogitationes curasque vestras in eo collocetis, ut *omnes unum sint* et *ut sint consummati in unum*, quemadmodum divinus Magister proxime ante docuit oravitque quam pro nobis mortem in Cruce oppeteret. Haereant fidelium vestrorum animis Apostoli Pauli verba: *Unum corpus et unus spiritus, sicut vocati estis in una spe vocationis vestrae. Unus Dominus, una fides, unum baptisma. Unus Deus et Pater omnium, qui est super omnes, et per omnia, et in omnibus nobis.*[11] In hac autem mutua coniunctione fideles sint *invicem benigni, misericordes, donantes invicem, sicut et Deus in Christo donavit vobis.*[12]

Caelestium interea munerum conciliatricem paternaeque caritatis Nostrae testem, vobis, dilecte Fili Noster, venerabiles Fratres, et clero populoque cuiusque vestrum, apostolicam benedictionem ex animo impertimus.

Datum Romae apud sanctum Petrum, die VIII mensis septembris MDCCCCXVI, Pontificatus Nostri anno tertio.

BENEDICTUS PP. XV.

S. CONGREGATIO DE SEMINARIIS ET DE STUDIORUM UNIVERSITATIBUS.

LEGES ACADEMIAE ROMANAE SANCTI THOMAE AQUINATIS.

I. Academiae nomen erit: Academia Romana S. Thomae Aquinatis.

II. Huic propositum est explicare, tueri, propagare doctrinam, praesertim philosophicam, Angelici Doctoris, omniaque accurate servare quae tradita sunt in Litteris Encyclicis quarum initium: *Aeterni Patris.*

[11] Eph. 4:4-6.
[12] Eph. 4:32.

III. Officia Academiae praecipua haec erunt: Studia viresque conferre cum aliis Academiis eiusdem instituti ad philosophiam christianam secundum principia S. Thomae Aquinatis ubique instaurandam.

Operum et ephemeridum illustrium, et earum maxime quae de rebus philosophicis pertractant, notitiam sibi comparare, ut quaenam sit ubique scientiarum conditio dignoscatur.

Lucubrationes, ubi opus sit, et libros edere quibus vel gliscentes errores refutentur, vel philosophica doctrina illustretur et amplificetur.

Sedulam dare operam doctoribus informandis scholasticae philosophiae tradendae apprime idoneis.

IV. Academia constabit Consilio Academiae regundae praeposito, Academicis et Alumnis.

V. Consilium Academiae Moderatorum coalescet ex tribus EE. Cardinalibus, quorum Cardinalis Praefectus *pro tempore* Sacri Consilii Seminariis et Studiorum Universitatibus regundis prior loco erit. EE. Cardinales Moderatores de rebus Academiae acturi conventum habebunt cum e re visum fuerit. Aderit a secretis Academicus unus qui poterit adiutorem sibi adsciscere Academicum alterum ubi opus fuerit.

VI. Academici a Consilio EE. Cardinalium Moderatorum eligentur. Plures quam XXXX numero non erunt. Horum viginti ex doctis viris in urbe commorantibus, decem ex italica regione, totidem ex nationibus exteris cooptabuntur. Consilio Academiae moderandae omnes parebunt.

VII. Conventus Academiae singulis mensibus anni academici, uno saltem ex EE. Cardinalibus Moderatoribus adstante, habebuntur. Nemini ex Academicis Romae commorantibus a conventu abesse fas erit.

VIII. In his conventibus alter ex Academicis lucubrationem recitabit, quam, proposito a Consilio EE. Cardinalium Moderatorum argumento, confecerit.

Lucubratio recitanda expendi prius ab uno e Consilio EE. Cardinalium Moderatorum et probari debebit.

Consultatio deinde habebitur de libris ac scriptionibus super re philosophica in lucem recens editis; et quid facto opus sit, vel ad refutandos errores, vel ad philosophicam doctrinam declarandam et promovendam, de sententia EE. Cardinalium Moderatorum in conventu adstantium decernetur.

IX. Lucubrationes in Academicis conventibus recitatae, quas Eminentissimi Cardinales Moderatores dignas iudicaverint, in exitu anni typis edentur.

X. Ex iuvenibus optimae spei qui philosophiae curriculum emensi fuerint coetus Alumnorum constabit.

EE. Cardinales Moderatores aliquibus ex Academicis alumnos semel saltem in unaquaque anni academici hebdomada instituendos tradent in praecipuis thomisticae doctrinae capitibus, illisque Academici designati Angelici Doctoris disputationes explanabunt, cum aliorum philosophorum placitis, ubi opus fuerit, comparatas.

Dabitur interdum Alumnis ut in academicis conventibus, exercitationis causa, aliquod philosophicae doctrinae caput, ad mentem D. Thomae, in praelectionis modum exponant.

XI. Alumnis qui lectiones academicas integrum annum assidue frequentaverint, ad eiusdem anni exitum ius erit ad praemia concurrere. Ipsis dictabitur aliquod argumentum scripto ab omnibus intra statutum tempus explicandum. Qui facto periculo praestantiores iudicati fuerint, praemia laudemve consequentur.

Alumni qui doctoris lauream in philosophia S. Thomae expetant, ad periculum doctrinae et scripto et voce faciendum de quolibet capite philosophiae, quae vel in speculatione veri vel in moribus versetur, ne admittantur nisi biennio saltem in scholis Academiae instituti fuerint disputationesque in academicis conventibus frequentaverint.

Candidatis res successerit satis, si duas tertias punctorum partes tulerint. Academici examinatores deligantur *per turnum*, iique ne pauciores quam tres ne plures quam quinque unquam sint: ac tum ad probandum tum ad improbandum terna singuli habeant puncta, secreto attribuenda. Academicus qui est a secretis, vel eius adiutor semper aderit, officio examinatoris fungetur et rei exitum adnotabit.

XII. Certum quoque praemium tum Academicis vel pro praelectionibus quas habuerint, vel pro scriptionibus quas confecerint, vel prout coetibus adfuerint, tum etiam alumnis pro disputationibus quas sive defendendo sive arguendo partecipaverint, tribuetur. Huiusmodi autem praemia itemque ceteras omnes impensas quotannis faciendas EE. Cardinales Moderatores definient. Is vero qui est a secretis Academiae EE. Cardinalibus Moderatoribus postea rationem reddet.

Ex Audientia habita die 11 februarii 1916, Ssmus D. N. Benedictus PP. XV has Leges Academiae Romanae S. Thomae Aquinatis ab EE. Cardinalibus eiusdem Academiae Moderatoribus adprobatas, confirmavit, ratasque habuit non obstante Decreto S. C. Studiorum, die 23 iulii anno 1910, ceterisque contrariis quibuslibet.

CAIETANUS CARD. BISLETI,
LUDOVICUS CARD. BILLOT,
MICHAËL CARD. LEGA.

SALVATOR TALAMO, *Academicus a Secretis.*

ROMAN CURIA.

PONTIFICAL APPOINTMENTS.

19 October, 1916: Monsignor James A. Coyle, of the Diocese of Fall River, made Domestic Prelate of His Holiness.

27 October: Charles Jaegle, of Pittsburgh, made Knight of the Order of St. Gregory the Great.

15 November: Monsignor Michael F. Glancey, of the Archdiocese of Birmingham, England, made Protonotary Apostolic *ad instar participantium.*

Studies and Conferences.

OUR ANALECTA.

The Roman documents for the month are:

LETTER OF POPE BENEDICT XV to Cardinal Bégin, Archbishop of Quebec, and to the other Archbishops and Bishops of Canada, commending unity and harmony among all Catholics in the Dominion.

S. CONGREGATION ON SEMINARIES AND UNIVERSITY STUDIES gives the laws that are to govern the Roman Academy of St. Thomas Aquinas.

ROMAN CURIA announces officially recent pontifical appointments.

NOSTRA CULPA.

To the Editor, THE ECCLESIASTICAL REVIEW.

A consolatory feature of the recent Catholic Week in New York were the indications pointing to an awakening of our social conscience. It indicates a new era of Catholic effort in our country to meet the many social problems confronting our age and an earnest endeavor to organize our existing forces for a systematic and effectual dealing therewith. We are coming to include in the focuses of our Catholic vision the very important social angle. With us henceforth a problem has not merely a parochial or sectional bearing: we are becoming truly Catholic, that is, universal, in our calculations.

It is but right and necessary that we do so. Individualism, wrongly interpreted, has too long cast its blighting spell over our social conscience and dulled our perception of the insistent demands of our social duties. The "nil alienum puto humanum" has been applicable to too few, resulting in a selfishness, not only individual, but national, that has grown to the huge proportions of a Leviathan threatening to throttle the happiness and welfare not only of the masses individually, but of the entire nation as well. And it is this gigantic selfishness that has bred the many social problems that leer at our dreams of national progress and greatness. It has conjured up the

ghosts that will not be laid save by a reversion to social justice rising from a reawakened social conscience.

This reawakening of our social conscience must begin in a wholesome realization of our sins of omission in the past, and a firm and salutary purpose of amendment for the future.

Our sins of omission in the past have been many and great. We have, to begin with, been utterly and criminally oblivious of the gigantic transformation wrought here in our own country in social and economic conditions by the unparalleled development of our industrial life and the train of unhealthy conditions attendant thereon. More than any other country, America has become the field where there has grown a class cleavage most sinister, because founded on the differences not of intellect but of wealth. Huge industries have poured the wealth of Eldorado into our national coffers. But at what an expense of social justice and Christian charity! Had we been alive to the promptings of a sane Christian system of economics, industrial development would have from the beginning insisted on the co-producers of this wealth securing the dividends of proper housing, sanitary working conditions, reasonable hours of labor and adequate hours for play, security against industrial deterioration and accidents, adequate provision for an old age past the limit of industrial utility. Instead of this, there has been so wide a separation of the ways that a convergence is become very difficult.

The titanic growth of our industries has brought about another industrial phenomenon, acute and pregnant of injustice and a menace to real progress. The progressive concentration of capital has brought in its wake the successive suppression of the craftsman and the small tradesman, and it has increased the large number of dependent workmen. Hence our modern proletariate. The doctrines of Liberalism, violating as they do the basic natural law and the doctrines of charity, have shunned a sane adjustment of the labor market, and have for reasons of gain swelled the ranks of the dependent laboring-class out of all proportion to the needs of a sanely systematized division of work. This has called away from the great mother the hardy sons of toil, and resulted on the one hand in an artificial congestion of our cities, and on the other hand has developed a serious depletion of available labor forces for

the cultivation of the soil, thus threatening a dislocation and an unbalancing of the natural resources necessary for a healthy national economic life.

We have seen all this going on about us, but we have refused to interpret its meaning in terms of Catholic action. We must meet these many and complex problems by dispelling the lethargy that has held our energies self-centred and parochial. The Church has done heroic work in upbuilding her organization and her forces for spiritual ministration, in the face of enormous odds. But our long acquaintance with brick and mortar must not dull our touch for the finer clay of humanity. What will all our toil and sacrifice avail us if, now that we have laid the foundations deep and solid, we rest content and do not build further the structure of Christian order? We cannot meet conditions as they are to-day with methods that were practical and productive of good half a century ago. We must keep pace with the throbbing life about us and make our Christianity and Christian labor effective in the new and changed conditions that confront us concretely. We must confess in all sincerity that as a body we have been too backward in the work of Social Reform. Not only that. We must admit that, for the greater majority, Christian Social Reform is still a great X; its value we still must find if we would solve the equations of modern life. The laboring classes are seeking social salvation. If we do not offer it, they will look for it elsewhere.

With all our proverbial American practical sense we are illogical, it would seem, in dealing with this great problem of Social Reform. We demand of a man before he undertake the practice of surgery or medicine that he be skilled in diagnosis and in the prescription of remedies. Of a lawyer we demand a competent knowledge of jurisprudence. Of an engineer we expect a thorough acquaintance with engineering problems. And still we will not equip ourselves for the solution of the intricate and delicate problems of social conditions.

It is this neglect of what may be termed Social Study that has been our chief sin of omission and scandal; for we have had every reason for knowing that it is an essential duty of Christianity to concern itself with the problems rising from great changes such as have taken place during the past century.

We have had leaders like Ketteler and prophets like Leo XIII crying out to us in strong and vivid language admonishing us of our duty. We have had the great body of German Catholics in the Fatherland giving ear to these cries and successfully working at the solution of the social problems of industrialized Germany. And still their example fails to draw us. And how long? Till we are confronted with the sternest realties, when the laborer in desperation has recourse to the fatal scalpel of socialism or syndicalism?

No; we must and can face the situation at once. And we can do so effectively. We have the resources at hand. Every parish organization can become a centre for study and intensive work. We must have the vision to utilize what we have and the vitalizing energy to set working the forces at hand, slowly and carefully at first, but systematically and scientifically, to know conditions as they are, to interpret their meaning in terms of social welfare and progress, to study local needs and the local remedies that may be applied to their alleviation or solution. Thus we shall from humble beginnings build surely but steadily and solidly a large body of Catholic social apostles who, under the Pentecostal influence of zealous and scientifically equipped leaders, will go forth to a new conquest of the world, the world of social injustice and misery.

PAUL G. ROHR.

KEEPING THE SICK-CALL PYX IN THE TABERNACLE.

Qu. Is it forbidden to keep the *custodia*, or sick-call pyx, in the tabernacle, filled, and ready for use? I am aware that the practice is looked upon with disfavor by some, but I have been unable to find any rubric or decree prohibiting it. O'Kane distinctly sanctions it.

Resp. There is nothing against the practice here described, provided that the sick-call pyx be covered with a small silk veil or enclosed in a silk case. It is to be noted, however, that when the pyx is carried on a sick-call it should contain only as many hosts as may be required in that call. The practice which is rightly looked on with disfavor is that of keeping in the tabernacle a pyx filled with hosts, taking it on a sick-call, and returning with some hosts still in the pyx.

FACULTIES OF VISITING PRIEST.

Qu. Father John, of Diocese A, is visiting Father James in the neighboring diocese, B. During the visit, Father James wishes to go to confession to Father John. May Father John hear his confession, although he has no faculties in diocese B? In other words, is Father James empowered to give Father John faculties to hear his confession?

Resp. According to canon law, Father James has no power, unless he be vicar general, or otherwise delegated, to grant the faculties of the diocese. In some dioceses, however, the bishops have granted the privilege to their own priests of confessing to a visiting priest who is approved to hear confessions. It is the bishop, not Father James, in the case, who grants the faculties to Father John. Generally, the privilege would include not only Father James himself but also all other persons living in the rectory.

IS A VICAR GENERAL MONSIGNOR?

Qu. Kindly tell me if a vicar general of a diocese is entitled to the appellation "Monsignor." I hold that Pius X granted him that title. How should he be addressed, as "Right Reverend Monsignor," or as "Very Reverend Monsignor"?

Resp. The Motu Proprio *Inter multiplices curas*, dated 21 February, 1905, provides (n. 62), "Qui vicarii generalis aut etiam capitularis munere fungitur, hoc munere dumtaxat perdurante, erit Protonotarius Titularis". The following paragraph (n. 63), however, declares, "Protonotarii Apostolici Titulares sunt praelati extra Urbem, qui tamen subiecti omnino manent locorum Ordinariis, *Praelatorum Domus Pontificiae honoribus non gaudent*, neque inter Summi Pontificis Familiares admunerantur". Vicars General, therefore, are not Domestic Prelates. Nevertheless, they are entitled to be addressed as *Monsignori*. Cardinal Gennari[1] says, "Dunque gli spetta benissimo il titolo di *monsignore* ed anche l'abito prelatizio". The dress is described as a black cassock, with train (not to be unfolded), silk belt with double pendant on the left side, rochet, mantelet, and biretta (all black). The

[1] *Quist. liturgiche*, 2 ed., p. 501.

vicar general is entitled to a coat of arms surmounted by a hat with pendant cords and three black tassels. Since he is not a Domestic Prelate, we think that he should be addressed as "Very Reverend".

POSITION OF BURSE DURING EXPOSITION.

Qu. Is there any regulation concerning the position of the burse on the altar before and after the Exposition of the Blessed Sacrament? Should it be placed on the left, or Gospel, side; or may it be placed in the centre, or at least when it in no way conceals the ornamentation on the tabernacle door?

Resp. The proper place for the burse is at the side of the tabernacle; whether right or left is not determined. A decree of the S. Congregation of Rites, 22 January, 1701 (Decr. n. 2067), forbids placing anything before the tabernacle door except the canon card during the Mass.[1]

GAINING A PLENARY INDULGENCE.

Qu. Will you kindly answer the following question in regard to plenary indulgences? *A* says that a plenary indulgence can be gained for every visit to the church from Wednesday noon, the feast of all Saints, to Thursday midnight. When our diocesan Ordo says: "Annuntietur indulgentia plenaria per totam octavam Omnium Sanctorum," he understands it to mean *toties quoties*. *B* on the contrary, thinks it means that the faithful may gain the indulgence once each day during the octave, if they fulfill each day the conditions for gaining the indulgence. Which is right, *A* or *B*?

Resp. The *toties quoties* plenary indulgence for the second day of November which had been granted a few years previously to all churches of the Order of St. Benedict was, 25 June, 1914, extended to all churches and to public and semi-public chapels. The confession necessary for gaining the indulgence may be made on any of the eight days preceding the second of November, according to a decree dated 23 April, 1914, and Holy Communion may be received either on the day itself or on any of the three preceding days.[2] The visits

[1] Cf. Decree 3130, ad IIIum.

[2] See Decree of S. Congr. of Indulgences, 11 March, 1908.

may be made from noon of the first of November, to midnight of the second of November. The plenary indulgence during the octave of All Saints is, indeed, mentioned in some diocesan Ordos; but no decree or date of a decree is given. Hence it is difficult to say anything definite about the indulgence in question. Possibly the Ordo has reference to the plenary indulgence which bishops have the privilege of granting three times a year on any days which they may designate.

A CASE OF IMPEDIMENTUM LIGAMINIS.

Qu. James and Paula, both baptized according to the rite of the Mormons, are married by a Mormon elder in the Mormon Church. Paula gets a divorce and marries again. James goes East, and meets a Catholic girl. They become engaged, and go to a priest to be married, but say nothing about the previous marriage of James. The priest obtains a dispensation "mixtae religionis," and marries them. Some time later, the news of the first marriage is conveyed to the priest and he is asked if anything can be done to make the marriage valid. What would you advise him to do?

Resp. The baptism of the Mormon sect may be valid, as they believe in the Blessed Trinity, in Christ as the Son of God, and in baptism for the remission of sins. In individual cases, however, it may be difficult to ascertain whether the pouring of the water and the necessary form of words were properly applied, although the mere doubt arising from this difficulty would not of itself affect the question of validity of the marriage. There is another point involved. On the one hand, the original belief of the Mormon Church in plural marriage contradicts the Catholic teaching on the essence of Christian marriage; on the other hand, the Mormon Church, since 24 September, 1890, has officially forbidden polygamy. It seems to us that there is a probability that the first marriage was valid, and therefore that "impedimentum ligaminis" rendered the second marriage invalid. Still, the case may be opened in the bishop's court, and it may be possible to obtain a decree of nullity either on the ground of invalid baptism or on the ground that there was wanting some essential of a valid marriage contract.

NULLIFICATION OF MARRIAGE SOUGHT.

Qu. In 1903 Paul, a Catholic, was married to Mary, who had never been baptized. They were married by a priest. After they had lived together for two months they separated, and have remained separated ever since. A short time ago Paul came to me and expressed a desire to have the first marriage annulled. He tells me that all the arrangements for the marriage were made Saturday night and that the ceremony took place the following morning after the eight o'clock Mass. Now, I know that, as the parish in which the marriage took place is distant from the episcopal city, a dispensation could hardly have been obtained in that time. Moreover, I wrote to the bishop of the diocese for a record of the dispensation, if any existed, and he could find none. I wrote to the present pastor of the parish in which the marriage took place, asking for a record of the marriage. This I received, but it contains no mention of either impediment or dispensation. The priest who performed the ceremony has severed his connexion with the diocese and cannot be located at present. What do you think of the position of Paul? Is he free to contract a marriage?

Resp. This case should be decided in a regular canonical trial in the ecclesiastical court; and a double sentence, namely concurrent sentences of the bishop's and the archbishop's court, will be required before the party in question will be considered free to enter a second marriage. It must be proved beyond a reasonable doubt that Mary was not baptized. It must also be proved beyond all reasonable doubt that no dispensation was obtained from the impediment "disparitatis cultus". The fact that the first marriage occurred before a priest establishes a presumption that it was valid, and this presumption must be successfully attacked by positive evidence. The reasons advanced by our correspondent are negative in character and tend to establish a probability at most. The priest may have forgotten or neglected to make a record. The other circumstances mentioned may be considered equally inconclusive. For example, the circumstance of time and distance may be overcome if it is shown that a special messenger may have been employed. The evidence, in a word, is inconclusive. It is not insurmountable. The positive testimony of the priest, if he could be found, might settle the question. Meantime, it is, as we said, a case for the ecclesiastical courts.

PRIMARY EFFECT OF EXTREME UNCTION.

To the Editor, THE ECCLESIASTICAL REVIEW.

In the September and December numbers of the REVIEW there are two articles on the primary effect of the Sacrament of Extreme Unction. As that important aspect of the Sacrament has not been clearly stated in our Theology, the readers of the REVIEW must feel grateful to Fr. Richards, no less than to Fr. Tecklenburg for the able manner in which they have presented their views on the matter. The position maintained in these articles seems to be in accord with accepted Catholic Theology; hence the temerity of the present writer forcing his way into the arena to cross swords with such powerful antagonists.

Fr. Tecklenburg summarizes his article as follows: "If you, on your deathbed, receive the Sacrament of Extreme Unction, you will, in all probability, not have to go to purgatory, but you will be cleansed by the anointment, just as though you were newly baptized."

This position is accepted and endorsed by Fr. Richards in the December number of the REVIEW.

The ordinary sequence in administering the sacraments to the very sick or the dying is Penance, Viaticum, and Extreme Unction. In most cases these Sacraments can be administered absolutely in the order named. In many cases only Penance and Extreme Unction can be administered. In not a few cases these two Sacraments must be administered conditionally.

I take it that Fr. Tecklenburg means that in any one of these cases Extreme Unction "effectively prepares the soul for immediate transfer from earth to heaven". The only obstacle that can impede the soul's flight to heaven is sin and the temporal punishment due to sin. But, when the Sacrament of Penance has been administered in the ordinary manner, the eternal punishment due to sin is forgiven. What remains to be atoned for is the temporal punishment due to sin. Now, if Extreme Unction were primarily intended to remove possible remaining sins and the temporal punishment due to sin, why has the Church enjoined on the priest the practical necessity of imparting the Last Blessing? Fr. Tecklenburg answers: "One might say that we have the plenary indulgence and the apostolic benediction. I answer this depends too much upon

the disposition, the piety and exertion of the patient. A plenary indulgence presupposes remission of all sins, and in so trying a need it is altogether too uncertain a thing." As a theologian, Fr. Tecklenburg is hardly justified in placing the apostolic blessing in the uncertain category. We have no reason to doubt its efficacy when imparted to a patient giving evidence of having the requisite disposition. When imparted to the patient fully conscious, there would seem to be less uncertainty about its efficacy than there would be regarding the efficacy of Penance, or Extreme Unction administered conditionally. Moreover, in many cases where Extreme Unction has been administered, death does not follow immediately. The illness from which the patient is suffering may be protracted for a month, or more. During the same illness, Extreme Unction should not be repeated, while the other sacraments may be re-administered.

Our theology on the primary effect of Extreme Unction is not very clear. It is defined as a Sacrament by which, through the anointment and prayer of the priest, health is conferred on the soul and sometimes on the body.

Were we to seek the primary purpose for which the other Sacraments were instituted, we would have little difficulty in obtaining a clearly defined answer. This answer is taken, either from the words of the institution, or from the formal matter of the Sacrament itself. The Scriptural source of the Sacrament of Extreme Unction are the words of St. James as found in the Ritual: "Is any one sick among you? Let him bring in the priest of the Church, and let him pray over him, anointing him with oil in the name of the Lord. And the prayer of faith shall save the sick man. And the Lord shall raise him up; and if he be in his sins, they shall be forgiven him." Immediately following these words in the Ritual is the prayer of the Church, explanatory it would seem of the Apostle's words. "Cure, our Redeemer, by the grace of the Holy Ghost, the ailment of this sick man; heal his wounds and forgive his sins; drive out from him all pains of body and mind, and mercifully restore to him full health, both inwardly and outwardly, *that having recovered by the help of Thy mercy, he may once more have strength to take up his former duties.*" There is also a possible reference to this Sacrament in St.

Mark's Gospel (6: 13). "And they (the apostles) cast out many devils, and anointed with oil many that were sick, and healed them."

There is no difficulty in admitting that Extreme Unction is the complement of Penance, that it takes away sin indirectly, as does Holy Eucharist, that it strengthens the powers of the soul, that it gives the patient fresh hope and confidence in God's mercy, that it disposes and helps to prepare the soul for the Beatific Vision; but it is a different and more difficult matter to concede that the primary effect of that Sacrament is to admit the soul immediately into the enjoyment of heaven.

VICARIUS.

ADMISSION TO SEMINARY OF STUDENT DISMISSED FROM CATHOLIC SCHOOL.

Qu. Can you find me any legislation or expression of opinion on the subject: Whether a boy expelled or dismissed from a *Catholic school* can enter a seminary for the priesthood without a special dispensation? All the legislation I have been able to find covers the question of one who leaves or is dismissed from a seminary and wishes to enter another seminary or a religious order. It also contemplates the case of a person expelled from *any* school for grave offences. It does not cover the case of a boy who is dismissed from a Catholic school, for lack of study, for example, or for lack of ability in Latin or Greek. This is a practical question, as the boy may, after being dismissed, seek admission to a seminary.

Resp. The recent legislation placing restrictions in the matter of admitting to religious novitiates those who have been dismissed from colleges, seminaries, and other institutions, is contained in a decree of the S. Congregation of Religious dated 7 September, 1909. But, as our correspondent states, it does not consider the case of a boy who is dismissed from a Catholic school and afterward seeks admission to a seminary. In the absence of special legislation, it is obvious that each individual case should be decided on its own merits. The bishop and the diocesan authorities will, naturally, inquire why a boy has been dismissed from a Catholic college. They will, if the case seems in any way doubtful, obtain confidential reports from the school, and the impression which will soon permeate the student body in the Catholic school that any

serious complaint will stand against a scholar's entrance to the seminary, will facilitate the maintenance of discipline and of a high standard of study in the Catholic school.

PROOF OF THE EXISTENCE OF GOD.

Qu. Would it be too much to ask you to get one of your learned regular contributors to give a clear, concise, irrefutable proof of the existence of God? We had a conference here some time ago, at which a paper on the Existence of God was read, and the usual physical, metaphysical, and other proofs were explained. The bishop, who presided, was not satisfied, and urged the need of an argument that would be conclusive from the scientific point of view, which would meet the objections from evolution, the development theory, and so forth. I am familiar with the arguments in the *Catholic Encyclopedia* article, but what I should like would be an argument that would settle the question.

Resp. The zeal for the establishment of God's truth is always commendable; and there is nothing more commendable in a priest than the desire to bring the knowledge of God to the minds of the simplest and least tutored of His children. It was this burning zeal that urged St. Anselm, so long ago, to search for one irrefutable proof of the existence of God which even the "fool" could not resist "who said in his heart that there is no God". And we know the result. The so-called ontological argument took its place beside the physical, metaphysical, and moral proofs, and so far was it from convincing the 'fool" that even among trained metaphysicians it has found few who understand it and still fewer who admit it. A "clear, concise, irrefutable" proof of the existence of God seems to be, humanly speaking, an impossibility. The truth is that the existence of God is not capable of clear, concise, and irrefutable demonstration along any one line of reasoning, as a proposition in geometry is. All the arguments usually brought forward are valid; but not all of them make the same appeal to the same mind. Newman thought the so-called moral argument was the strongest; others think that the strongest argument is the metaphysical argument, in terms of cause; still others rely most on a psychological argument based on our intimate sense of the Divine. And so it will be, as long as mind differs from mind. None of the arguments should be

lightly set aside; neither should the effort to make them more complete and convincing be discouraged. Nevertheless, we must disappoint our correspondent if he hopes to see in the pages of the REVIEW a "clear, concise and irrefutable" argument that would commend itself at once to all minds as a final proof of the existence of God. Perhaps our correspondent misunderstood the president of the conference. The bishop may very well have expressed a desire to see the arguments presented in such a way as to take account of modern scientific objections. That and that only is what he must have meant by "an argument conclusive from the scientific point of view". Strictly speaking, there is no "scientific" proof of the existence of God; for, as the word science is used nowadays, it does not include the problem of the existence of God, although we know that scientists do not hesitate to discuss it. The rational proof of the existence of God belongs to philosophy, not to the physical sciences. At the same time, it is desirable that philosophical arguments be presented in such a manner that they meet the objections urged by modern unbelievers from the standpoint of evolution and other scientific doctrines.

DISTRIBUTION OF COMMUNION AT FORTY HOURS' ADORATION.

Qu. In your admirable *Manual of the Forty Hours' Adoration* it is stated on page 7, n. 1, that "the distribution of Communion should take place at the altar in the tabernacle of which the ciborium containing some consecrated particles should be kept."

Please let me know if this ciborium may be kept at this altar during the whole time of the Forty Hours, or should it be removed to the high altar after the final distribution of Communion, so that the Blessed Sacrament may not be reserved in two separate places in the same church?

If so, may the same practice be observed on First Fridays where the Exposition begins at the high altar before the early Mass?

Resp. The ruling of the S. Congregation of Rites (11 May, 1878, n. 3448) is that, whenever the Blessed Sacrament is *publicly* exposed, Communion is not to be distributed at the altar of Exposition, either *during* or *outside* the Mass. A similar decree specifies expressly that the distribution may not take place at the altar of exposition outside the Mass (8 February, 1879, n. 3482).

A later decree suggests, for a church in which there is only one altar, that a movable tabernacle be erected in some part of the church and should be surrounded by kneeling-benches, in place of the communion-rail, where Communion may be distributed (23 November, 1880, n. 3525).

It follows, therefore, that the ciborium for communicating the faithful in the church, or for the sick, is to be kept on a separate altar both during and outside Mass.

This applies to the first Friday exposition also, since it comes under the head of "public" exposition, as distinguished from "private" exposition, there being no distinction made between the "solemnissima expositio" of the Forty Hours' Adoration and the "solemnis expositio" on the first Friday.

THE COMMUNION CLOTH OR PLATE.

To the Editor, THE ECCLESIASTICAL REVIEW.

I was very much interested in the article by Monsignor Meehan on "The Communion Cloth or Plate" in the January number. It appeals to me rather strongly from the fact that in the diocese where I am located, the custom of using a communion plate in place of the cloth has made great headway. In fact, I now belong to the minority, consisting of those who still cling to the time-honored and Church-sanctioned communion cloth. Some have gone so far as to do away with the communion-rail, to the no little inconvenience and discomfort of the aged and sickly when they receive Holy Communion.

Besides the drawbacks cited by Monsignor Meehan, I can cite another that actually came under my own observation. Some time ago I was saying Mass in a neighboring city on a weekday in a church where the modern communion plate is in vogue. Several persons received, the altar boy accompanying me with what I thought was the "plate". But when I returned to the altar I was horrified when the server followed me there carrying the *paten*. It seems that the regular communion plate was not in the place where it was generally kept, and the server not seeing it went up to the altar, as I was approaching the communicants, grabbed the paten and used that for the communion plate. I mentioned the fact to one of the

local clergy and he said that the boy was a "green" server.

But what has happened once may happen again. If it was so natural for that server to substitute the paten for the plate, is it altogether improbable that no other server will do the same thing? With the communion cloth, a "green" server would not have the opportunity to lay hands upon what he has no right to touch.

This incident confirmed me in my dislike of the novelty of the plate. To my mind, the communion cloth, where it is kept clean and where no unseemly economy is practised in laundering, preserves the idea of a "banquet", is more churchly, and is, I believe, just as much of a protection against irreverence of the Sacred Species as the modern plate. As a matter of fact, does the plate prevent the small particles from falling to the floor? When the priest is giving Communion, is the plate always under his hand when he is holding the Blessed Sacrament? Rather, when he is taking a host out of the ciborium, is not the boy holding the plate, not under the priest's hand, but in front of the next person to receive? Is it not as likely that some of the particles may fall as the priest is taking the Host out of the ciborium as when he is actually placing It on the tongue of the communicant? What is there, then, to prevent those particles from falling to the floor?

My personal opinion is that the use of the plate gradually tends to irreverence on the part of the servers and to the embarrassment of the communicant who so often is stared out of countenance by the server.

A Pastor who Loves the Old Ways.

IS A CATHOLIC LAY UNION EXPEDIENT AND FEASIBLE?

To the Editor, The Ecclesiastical Review.

May I be permitted to give a fervid *placet* to Father Ambrose's article in the January Review? He has said with remarkable clearness and force, what no small number of priests have often thought. There is hardly one of the large number of priests working in this country who will not agree with the writer of that article in saying that a lay union is expedient. I believe that most of us will go further and say that not only is such a union expedient but it is also imperatively necessary—unless we wish things to go on as they are, and trust to

bungling, or chance, or good-fortune, or time to correct the evils which surround us.

While all agree as to the expediency, even the necessity, of such united action, it is possible that some will doubt its feasibility. But a careful reading of Father Ambrose's words will show that he has gone far on the way to remove the greater number of objections, the stock objections, which are brought forward. I should like to comment on this part of his article and add a remark or two which may be worthy of notice.

If the lay action is to be solely and exclusively lay action, it will never be inaugurated, and that for the reason intimated by Father Gallagher; namely — to state it more openly — the episcopate and the priesthood have grave doubts of activity that is under the sole domination of the laity, and this for reasons that are quite obvious to any priest. But Father Gallagher has eliminated this objection wholly by his suggestion that the union proceed along the usual channels of the Church's activity in matters spiritual; that it follow, in other words, and parallel the paths which have made her organization in spiritual matters the wonder of generations—the people under the priest, the priest under the bishop; from parochial to diocesan and so by this means to national unity.

Father Gallagher is on the only possible road to success when he suggests such a procedure. If it may be said with reverence—and this is the way it is intended—it is the present writer's opinion that the Bishops do not realize the tremendous power that lies at hand. They are regarded by the people as the living voice which has tremendous claims on their obedience. They speak as those having authority. A faint indication of this can be found if one notes the tense silence which prevails when a message from the Bishop is read in the parish church.

In this connexion it seems proper to observe that Father Gallagher is not altogether correct in what he seems to say at the end of page seven—namely, that laymen should make overtures to the Bishops. If he means by this that the initiative should be taken by laymen, it seems to me that there would be more assurance of success were the initiative and the orders to proceed from the Bishops. Perhaps I have not understood him correctly.

Speaking for my own case and for mine own people, I say

with emphasis, if next Sunday I were to go before my people with a letter from the Bishop, setting forth the plan of a lay union, taking in every Catholic in the United States; telling the objects and purposes of such a union; containing the *order* of the Bishop that a certain amount of money, for organization purposes, be paid out of the treasury of the church; I am positive that such a letter would produce immediate results. And in twenty-four hours a check would be on its way and all this would meet with the approval of every large-minded, common-sense man and woman in the parish. What is needed before all is a document with a "datum", *contrariis quibuslibet*, and the Bishop's name.

There is not space even to enumerate the advantages of such a union. Were we to consider only the possibilities from the viewpoint of missionary works—increased contributions, universal interest, the startlingly large results, and efficiency—there would be for this reason alone sufficient grounds for the establishment of such a union.

May I add the following considerations as calculated to remove further objections? The Catholic people are reared from their earliest years to obedience; they are taught to recognize authority, to move when authority speaks. This they do in matters spiritual and when there is question of their religious interests; there is every reason to expect that in matters nearly allied to and intimately bound up with their religious concerns they will listen attentively and move immediately when that same authority imposes on them an obligation which makes for the welfare of the whole Catholic body. Another thing not to be overlooked is this: The Catholic people are familiar with the powerful and stupendous machinery of international or universal organization, and there will consequently be little difficulty in making them see the feasibility of an organization that is somewhat less stupendous. We have as Catholics the tradition of an organization, eminently successful for two thousand years, dealing with people of every tongue, scattered through all continents. Surely we will quite easily and quite readily grasp the possibility and the feasibility of an organization confined to one people with one tongue, on part of a single continent. More especially is this true if such a union proceeds from parochial to diocesan and so to national unity. If we may somewhat modify the proverb, we may say,

"Where there is a vision, the people perish not". Could there be a more glorious vision than these sixteen million people fired with a single thought moving at the word of authority? When sixteen million people move, something must give before them; when sixteen million people speak with one voice, the ends of the earth will harken.

Father Gallagher has spoken a word that ought not be allowed to pass. There is in what he has said a seed which, if Apollo watereth and God giveth increase, will fill the whole earth.

SPERANS.

A PLEA FOR THE NEEDY.

To the Editor, THE ECCLESIASTICAL REVIEW.

It has been the practice of the Church to divide the revenues of a parish into three parts: one-third for the support of the clergy, one for the upkeep of the Church, and one for the poor. This arrangement is not generally feasible nowadays. We have orphan asylums and some old folks' homes, a few institutions for our deaf and blind; but as they are not in view of our people, and nearly all conducted separately, there are many of our unfortunates entirely neglected and lost to the faith through the want of diocesan organization that would embrace them all. Our orphanages are sometimes palatial, but are limited by being in cities and are not able to take care of all.

It would seem desirable, as Dr. Walsh in an address lately given in New York suggests, that all these works of charity be combined. Why could not a tract of land be secured and all these good works be carried on in a united way, so that all the needy and afflicted would have the companionship they desire, whilst all the energies of a diocese could be concentrated in this one place, where there would always be room for one more; where houses could be built and a cottage plan followed; where retired priests and well-to-do lay people could end their days in a truly Catholic atmosphere. Their hearts would open to the respective needs of the orphan, the aged, and even the poor scholar. It would be another grand Catholic University that would arouse the best instincts of all our people and be an ideal realization of the brotherhood of God's children, at the same time stopping up the leakages that are now preventing us from doing our full duty to God's afflicted ones.

CLERICUS.

Ecclesiastical Library Table.

RECENT BIBLE STUDY.

CHRISTOLOGICAL THEORIES 20. HARVARD CHRISTOLOGIES 7.

DR. TOY'S DEGRADATION OF CHRISTIANITY.

In our study of the religious ideas of Dr. Crawford Howell Toy, of Harvard University, we have seen that he leaves God out of morality; he degrades religion to a mere sense of fear; he looks upon the Old Testament as just one of many sources that show the evolution of "the sense of an extra-human something"; he admits no supernatural religion, no revelation of God to the human race, no God-intended difference in what he calls the "highest form of religion"—a form to be found in Plato, the New Testament, Christian and Buddhistic and other mystics.[1] We shall continue to examine into the doctor's rating of Old Testament religion. For to him "Christianity, *beginning in a Jewish movement*, speedily became Græco-Roman".[2]

I. Dr. Toy's Degradation of the Old Testament. Since the doctor rates all religions alike; and sees, in every form of religion, nothing more than a noble or a vulgar evolution of the "sense of fear", we should not look for any special reverence for the Old Testament from him.

1. *Old Testament Religion not a Revelation of God.* Nowhere, in his writings, does Dr. Toy give us ground to suspect him of looking upon the religion of the Old Testament as the revelation of God to the human race. The writings of Moses and the prophets are treated as unconcernedly as are those of Zoroaster and Muhammed. Passages of the Old Testament are thrown out of court with no ado whatsoever. Thus, one need not rack one's brain to show that Jahweh's "command to exterminate the Canaanites"[3] is quite compatible with the Divine attributes. The command is not an historical fact, but

[1] Cf. "Dr. Toy's Degradation of Religion", ECCL. REVIEW, December, 1916, pp. 692 ff.

[2] "Introduction to the History of Religions." Vol. IV of *Handbooks on the History of Religions.* New York: Ginn & Co. 1913. P. 567.

[3] Deut. 7:3; 25:19; Josue 6-11.

a trumped-up fiction. The fiction is useful to the investigator of the history of religions. For "these passages show how a current barbarous custom of war could be regarded by religious leaders as pleasing to God".[4]

This is an easy way of settling all the difficulties of Holy Writ; but it creates the still greater difficulty of depriving us of any Writ that is Holy.

Dr. Toy does not try to explain the possibility of the long life assigned to the patriarchs. The longevity of the patriarchs is no more than a refinement of the gods of paganism. The "sense of an extra-human something" led the pagans to deify their kings; the lords and heroes of earth became divinized gods. This divinization of the national hero was revolting to the Hebrews; so, among them, he became a superior being in point of age—in fact, a "dedivinized god". Here are the doctor's words. The longevity of the patriarchs

> may have been due simply to a tendency to conceive of the beginners of human society as superior beings (dedivinized gods). . . . The longevity of the antediluvians is perhaps a speculative continuation of the series back of Abraham on an ascending scale, though *special mythological traits* have come in.[5]

2. *Mythology of the Old Testament.* Not satisfied with the rejection of the Divine authority of the Old Testament, Dr. Toy mars it still more by the debauch of mythological fancies he finds therein. In the above citation, we have underscored the *special mythological traits* with which he infects the characters of the patriarchs. Why does he mangle these heroes of old? Because, they are, forsooth, only the evolution of the "general belief in the superiority of early conditions of life"! "Connected with this belief . . . is the belief in a primitive earthly paradise".[6] And so on, to the end of the chapter.

If we object that the Old Testament narrative reads like history; that what the doctor debases as the *special mythological traits* of the patriarchs, are the special grace of Jahweh unto them; the answer is forthcoming, that all this is the work

[4] "Introduction to the History of Religions", p. 578.
[5] Op. cit., p. 366.
[6] Op. cit., p. 366.

of late Jewish editors. They fabricated history out of whole cloth of mythology; and made Jahweh to be the very chiefest element of this trumpery.

In the Old Testament itself, the Jewish editors have *socialized the mythical material* (weaving it into history, as in Genesis), or have brought it under the work of the national deity.[7]

Even Jahweh Himself is debased to the level of the deities of the Iliad. For Dr. Toy speaks of the Hebraistic and the Homeric deities as of a sort. Their attributes are "what we regard as immortalities in the deity as given in the Iliad and the Old Testament".[8]

If Old Testament revelation is thus prostituted by Dr. Toy to the low depravity of paganism, what reverence has he for Christian revelation, for the "Jewish movement, that speedily became Græco-Roman"? We shall see.

II. Dr. Toy's Rise of Christianity. Long ago when the doctor had—or, at least, seemed to have—more respectful sentiments in regard to Christianity; before the *Los von Paulus* movement of the Neo-Tübingen School had raised the hue and cry that we have to-day Paulinity, not Christianity, Toy had pointed to St. Paul as the founder of Christianity. Jesus had started only a Jewish sect; Paul cut loose from Judaism, and founded a new religion. This is the thesis of *Judaism and Christianity*, "a sketch of the progress of thought from Old Testament to New Testament."[9]

1. *Nothing Divine in the Evolution of Christianity.* At the very outset of his study of the rise of Christianity, Dr. Toy postulates an absolutely false first principle. He takes it for granted that there is nothing Divine in the evolution of the religion of Christ:

The rise of Christianity out of Judaism is a fact . . . in conformity with a well-defined law of human progress. . . . Religion must be treated as a product of human thought . . . a branch of sociology, subject to all the laws that control general human progress.[10]

[7] "Introduction", p. 383.
[8] Op. cit., p. 580.
[9] Boston: Little, Brown & Co. 1891.
[10] *Judaism and Christianity*, p. 1.

Such a rise of Christianity is a mere fantasy, conceived as a substitute for the Christianity of the Gospels. No attempt is made by Dr. Toy to show any foundation for his figment in either the Synoptic or the Johannine tradition; he indulges in a revery, he romances, and asks us, on his authority, to accept, as the Christianity of the Gospels, "such stuff as dreams are made of".

We give one instance, from the Synoptic tradition, to show that the rise of the Christianity of the Gospels was Divine, and not "the product of human thought". It was at Cæsarea Philippi. Jesus asked His disciples, "Who do men say that the Son of Man is"?[11] Our Saviour commonly used this name, the Son of Man, in regard to Himself; it bore witness to His human nature, and oneness with us. The disciples replied that others said He was one of the prophets. Christ pressed them: "But who do ye say that I am?" Peter, as spokesman, replied: "Thou art the Christ, the Son of the living God." With this answer, Jesus was satisfied. It set Him above all the prophets. They were the *adopted* sons of God; Peter's answer made Him more than that—the *natural* Son of God. The *adopted* Divine sonship of all the prophets Peter knew without special revelation; although even this truth he could not have known by any "branch of sociology". The *natural* Divine sonship of Jesus was made known to the leader of the Apostles only by a special revelation. This is what our Lord says: "Flesh and blood have not revealed it to thee, but my Father who is in heaven."

Jesus clearly assumes this important title in a specially revealed sense, and not in a sense "subject to all the laws that control general human progress"; in a sense that is altogether new, not applicable to the prophets, not in the least "in conformity with a well-defined law of human progress". He admits that He is the Son of God in a sense of Divine sonship that cannot possibly have been the "product of human thought", but is the specific product of a special Divine revelation to Peter. "Flesh and blood have not revealed it to thee, but my Father who is in heaven".

[11] Matthew 16: 13.

Other instances, and many of them, could be cited to show that the Christianity of the Gospels is not the castle in the air which Toy professes as his bulwark of defence. Christianity that is not God's revelation to the human race, is not to be found in the Gospels; it is the "product of human thought", of thought of men like Toy, who throw over the first principle of religion, deny that a man's religion is the Godwardness of his reason and will, degrade religion to the depravity of savage emotionalism, and, as a matter of course, trump up a Christianity which is no Christianity at all, so as to "give to airy nothing a local habitation and a name".

2. *Christianity the Product of Judaism.* Dr. Toy tells us: "The rise of Christianity out of Judaism is a fact". We make answer, the rise of Christianity out of Judaism is not the fact Dr. Toy has in mind. He means that Jesus formed merely *a Jewish sect.* This fact he fails to prove.

The real fact of the case is this, that Christianity was built on the primitive revelation of Judaism; that Christianity is an olive tree whose root is the same primitive revelation whence sprung Judaism. This we Catholics admit. This is St. Paul's teaching.

First, Christianity *was built* on the same primitive revelation, whereon Judaism was upbuilded. This building-phase is a characteristic setting of Christianity in the figurative language of St. Paul. In the letter to the Ephesians, wherein the building-phase of the Church frequently occurs, he writes:

> Ye are no longer strangers, and foreigners; but ye are fellow-citizens of the saints, and members of God's household—dwellers in the same house with God, builded upon the foundation of the Apostles and the Prophets, the very corner-stone being Christ Jesus Himself. Upon Him all the building being framed together, groweth up into an holy temple in the Lord.[12]

The holy temple, in this figure, is the Church. The corner-stone of the temple is Christ Jesus. The foundation is the teaching of the Apostles, and of the Prophets.

Jesus did not do away with the moral law of Judaism. How could He? That moral law was not merely Jahweh's revealed, and written code; it was also an unwritten Divine law—what we call, in philosophy, the natural law.

[12] Ephesians 2:19-21.

Nor did Jesus do away with the primitive revelation, and the revelation to the Prophets of Juda and Israel. He tells us this distinctly:

> Think not that I am come to do away with the Law and the Prophets. I am not come to do away with them; but to complete them. For in very truth I tell you, until the heavens and earth pass away, not even a *jod* nor a flourish of a letter shall pass away from the Law, until all is done.[13]

"Not a *jod*", i. e. not the smallest Hebrew letter of the Law; "nor a flourish of a letter", i. e. nor a stroke, a distinctive twist, to a Hebrew letter of the Law, but will be carried out.[14] Every Messianic prophecy of the Law and Prophets will be fulfilled by Jesus. He will *complete* the Law and the Prophets; as the Greek text has it, He will *fill up* what is lacking in the Law and Prophets.

Secondly, Christianity is an *olive-tree*, whose root is the primitive revelation of the patriarchs, whence sprung Judaism. This also is St. Paul's illustration:

> If the root is holy, so are the branches. Now, if some of the branches were broken off, and thou, who wast only a wild olive, wast grafted in among them, and didst come to share with them the root which is the source of the richness of the cultivated olive, do not exult over those branches. And, if thou exult, (remember that) thou bearest not the root, but the root beareth thee. Thou mayest object: "The branches were broken off, that I might be grafted in." True; it was by their unfaith that they were broken off; it is by thy faith that thou standest. Toss not thy head too high; but beware. For, if God spared not the natural branches, neither will He spare thee. Therefore, see both the kindliness and the severity of God. His severity is toward those who fell; His kindliness is toward thee, so long as thou abidest in that kindliness. Otherwise, thou also wilt be cut off. And they, too, if they do not abide in their unfaith, will be grafted in. For God hath the power to graft them in again. For, if thou wast cut off from thy natural stock, the wild olive, and wast, contrary to thy nature, ingrafted upon the good olive, much the more will they, the natural branches, be grafted in upon their own olive tree.[15]

[13] Matthew 5: 17-18.

[14] For an explanation of this text by the present writer, cf. ECCL. REVIEW, November, 1915, pp. 601 ff.

[15] Romans 11: 16-24.

To understand aright these two Pauline illustrations—the building-phase and the olive-phase—of the Church of Christ, we must never lose sight of the matrix idea of the theology of St. Paul. The theology of the great Apostle is Christocentric.[16] He tells the Corinthians that he came to them " with no display of eloquence or philosophy. For I judged it not well, while with you, to know anything save Jesus Christ, and Him crucified." [17] Christ is " the Head of all archangels and powers of heaven "; [18] " all has been created through Him, and for Him "; [19] " He is to the Church the Source of its Life, that He in all things may stand first ".[20]

According to this Christocentric theological exposition of St. Paul, Christ is the primary Root—the very tap-Root, if the olive-tree have one—whence rises the mystic sap of grace to the olive tree, the Chruch. The patriarchs are the secondary roots, or the root-fibrils of the olive; this is to say, the primitive revelation, given to the patriarchs, is very near to the primary Root, and the tap-Root of Christianity. The branches broken off, are the Jews who by their unfaith have severed themselves from the life-giving sap of grace that proceeds from the tap-Root, and through the root-fibrils, to the olive-tree. The gentiles are the wild olive, that gives no fruit. By entering into the Church of Christ, they have been ingrafted upon the fruit-giving, cultivated olive, whose secondary roots and root-fibrils are the primitive revelations given to the patriarchs and the Messianic revelations delivered to the Prophets. These inserts should not " toss the head too high ", nor be conceited; for the sap of grace, which produces fruit in them, reaches them from the tap-Root, which is Christ, by virtue of their being ingrafted upon the olive-stock, that is nourished through the root-fibrils, and the secondary roots, which are the patriarchs and the Prophets; that is to say, by virtue of their vital connexion with the primitive revelation and Messianic revelation of the Old Law.

[16] Cf. Prat, *La Théologie de St. Paul*, vol. 2, 5th ed. (Paris: Beauchesne, 1913), p. 48.

[17] I Corinthians 2 : 1-2.

[18] Colossians 2 : 10.

[19] Colossians 1 : 16.

[20] Colossians 1 : 18. Cf. also Colossians 2 : 7, wherein Christ is the Root of the Church.

The founding of the Church by Christ abrogated the Mosaic civil, ceremonial, and quasi-sacramental law. The Messias did not do away with the moral law, nor with the primitive revelation of the soteriological relation of man to God. He fulfilled the prophetic revelations in regard to Himself, that abound in the books of the Old Testament. The facts that Dr. Toy studies, in his *Christianity and Judaism*, prove only this and nothing more—that Christianity was *built* on the same primitive revelation upon which Judaism had been set; and that Christianity is an *olive-tree*, whose root is the same primitive revelation whence sprung Judaism. The Jews remained living branches of the olive-tree of the true religion, so long as they accepted the Messianic prophecies; when they denied the fulfilment of these prophecies, they were lopped off from the olive-tree of revealed truth.

The doctor tells us that "the rise of Christianity out of Judaism is a fact". He is not speaking of the Christianity of the Gospels, but of something else. His fancy is the factory that has fabricated the nightmare he calls Christianity. This so-called Christianity of Dr. Toy was a mere "Jewish sect", started by Jesus and transformed by Paul. The doctor tells us exactly when the transformation began. It was, during the first missionary journey of St. Paul, about the year 46 of our era, at Antioch in Pisidia. The Jews set themselves against the teaching of St. Paul. So

> Paul and Barnabas spoke out fearlessly, and said: "It was necessary that the message of God be addressed to you first. But since ye reject it, and do not judge yourselves worthy of eternal life,—lo, we turn to the gentiles.[21]

The fancy of Dr. Toy stretches this fact beyond the bounds of the text. The incident is merely local. The Jews of Antioch of Pisidia rejected the ministry of St. Paul. Therefore, he turned from them to the *gentiles of that city*. And yet, the doctor sees in this simple turn of events, the *end of the Jewish sect founded by Jesus* and the beginning of Christianity:

> This was the decisive step; Christianity thus ceased to be a *Jewish*

[21] Acts 13:46.

sect, and became an independent religion, which offered itself to all men without distinction of nations.[22]

Wrong, absolutely wrong! The Christianity of Christ was clearly founded as a religion to be offered "to all men without distinction of nations". Why does Dr. Toy trample rough-shod upon the clear message of the Gospel of Jesus? The Saviour, in clearest terms, sent His Apostles to all nations with His message of truth; and obliged all nations to give ear to that message:

> Going, therefore, make ye disciples (μαθητεύσατε) of all nations; baptize them in the name of the Father and of the Son and of the Holy Ghost; teach (διδάσκοντες) them to observe all things whatsoever I have commanded you. And lo, I am with you all days, even to the end of the world.[23] He that believeth and is baptised shall be saved; he that believeth not, shall be damned.[24]

It is no "Jewish sect" that is here founded, but an universal religion for "all men without distinction of nations". Our Lord does not say: "Go, and keep up my *Jewish sect!*" He founds an "independent religion" by the universal and most specific mission: "Teach *all nations* to observe all things whatsoever I have commanded you".

Why, if Dr. Toy had, in all fairness, cited the complete text of Acts to which he refers, he would not have had even the semblance of a reason to say:

> Paul may be called the founder of Christianity as the organized embodiment of the ideal kingdom of God.[25]

For, immediately after he has spoken, to the Jews of Antioch in Pisidia, in the fearless words we have given from Acts 13: 46, Paul gives his reason for the resolve, "we turn to the gentiles"! What is that reason? Is it that Paul is making a "decisive step" away from the Christianity of Jesus? Is it that he is founding "an independent religion? Not at all! The reason why St. Paul turns to the gentiles of Antioch of

[22] *Christianity and Judaism,* p, 367.
[23] Matthew 28: 19-20.
[24] Mark 16: 16.
[25] *Christianity and Judaism,* p. 368.

Pisidia, is, according to the Apostles own words, the simple fact that he and Barnabas have been ordered by the Lord so to do:

For thus hath the Lord commanded us:

> "I have set thee as a light to the gentiles,
> That thou be a means of salvation to the ends of the earth." [26]

The preaching of the Gospel by St. Paul to the gentiles was not a work of his own initiative. From the very conversion of the zealous Pharisee, he was destined by the Lord to accomplish this specific task. For the Lord said to Ananias:

Go, for this man is my chosen instrument to uphold my name in the presence of the gentiles, their kings, and the children of Israel.[27]

There was even a particular call to this definite work, that was made known by the Holy Spirit to the Prophets and teachers of the Church at Antioch in Syria. The Holy Spirit said to them:

Set apart for me Saul and Barnabas, for the work whereunto I have called them.[28]

It was the stock argument of the Apostle that he was set apart by the Lord, to preach the Gospel to the gentiles. "For He who hath given power to Peter for the apostolate unto the Jews, hath given power to me for the apostolate unto the gentiles".[29] And it was on account of this special call, that St. Paul had a right to bring the Gospel even to the church founded by St. Peter at Rome. To assure the ethnico-Christians of Rome that he was within his rights, he begins his letter to them:

Paul, the slave of Christ Jesus, called to be an Apostle, set apart for the Gospel of God . . . concerning His Son, Jesus Christ, our Lord . . . through whom we received the gift of the apostolate, to win obedience to the faith among all the gentiles for the sake of His name.[30]

[26] Acts 13:47, quoting Isaias 49:6.
[27] Acts 9:15.
[28] Acts 13:2.
[29] Galatians 2:8.
[30] Romans 1:1-5.

The fact should here be referred to, that it was not St. Paul who first turned to the gentiles. Even before the mission of Paul to Antioch in Pisidia, Peter had already been enlightened in a vision at Jaffa, and had admitted to baptism Cornelius the Centurion and other gentiles.[31]

In view of what we have said of the universal mission our Saviour gave to His Apostles, and of the specific apostolate of Paul to the gentiles, we cannot see how the doctor makes Jesus the founder of a mere Jewish sect, and Paul the founder of Christianity. Dr. Toy writes:

> It is hard to say how far Jesus Himself contemplated such a broadening of membership in the earthly kingdom of God.[32]

"Hard to say?" Yes, if one be blind to the "broadening of membership", which "Jesus Himself contemplated" in the words: "Make ye disciples of all nations";[33] and in the similar command: "Going into the whole world, preach the Gospel to every creature".[34]

If Dr. Toy were the Clinical Instructor in the Anatomy of the Gospels of Harvard University; if he had carved up the Gospels into their vital and non-vital parts, as does Harnack, Emeritus Surgeon of the Gospels in the University of Berlin;[35] if he had thrown out as a late accretion all the vital parts, and given to us some forty or fifty non-vital sayings of Jesus—the Q of divisive criticism; then we might understand how hard it is for the doctor to say that Jesus intended an universal religion, and how easy it is for him to say that Jesus merely founded a Jewish sect. But Dr. Toy makes pretense of arguing from the New Testament just as it is ordinarily received among the faithful of the Church. And the evidence of that New Testament is most clear against his theory of a Pauline foundation of Christianity, and a Pauline cutting loose from the Jewish sect that Jesus is said to have established.

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[31] Acts 10-11:18.

[32] *Christianity and Judaism*, p. 366.

[33] Matthew 28:19.

[34] Mark 16:16.

[35] Cf. *Sayings of Jesus*, by Adolph Harnack. English translation (G. P. Putnam's Sons: New York. 1908.)

Criticisms and Notes.

THE HOLINESS OF THE CHURCH IN THE NINETEENTH CENTURY. Saintly Men and Women of Our Own Times. By the Rev. Constantine Kempf, S.J. From the German of the Rev. Francis Breymann, S.J. Benziger Brothers, New York. 1916. Pp. 415.

Every Catholic is of course abundantly convinced that even as the age of miracles never passes away, so neither does the age of heroic sanctity. Supernatural interventions are not so manifest nor so frequent as they were when the faith that removes mountains was more prevalently a habit of Christian lives. Nevertheless somewhere in the universal Church the hand of the Lord is all the time showing itself to be unshortened, while at specially favored spots, such as Lourdes, the signs of the supernatural are seen to be particularly startling and accumulated. So it is with heroic sanctity. The Church is no less the fruitful mother of saints in this our matter-of-fact age and work-a-day world than she was in the Catacombs or in the medieval cloister. Perhaps most of us live under the spell of the fallacy of accident. You and I do not meet with men or women who bear the marks of the Lord Jesus outwardly in their bodies, and from our partial inexperience we are prone to conclude that there is none such. Of course it is a commonplace to say that the Church is ever peopled with the hidden saints—humble, gentle, self-sacrificing souls; the just and simple who fear God, do good, and shun evil. But the manifest saints, those whose lives repeat what we read of in the Bollandists and in Alban Butler—these wonderful men and women, boys and maidens, we seem to meet them, most of us, never at all.

As a mere supplement to our inexperience in this respect and as a corrective of our short-sightedness, the volume at hand commends itself alike to the clergy and the laity. It contains sketches edifying and entertaining of the lives of those servants of God who lived in the nineteenth century and of those in particular whose process of beatification has been already completed or is in actual progress. These are collected from every clime and from every grade of social life, domestic, civil, and ecclesiastical. Thus there are sketches of the lives of more than ten holy bishops. The secular clergy are honored by twenty venerable names. There are some fifty-odd among religious men, and about the same number among religious women. Of the laity, men and women, some twenty are chronicled. The white-robed army of martyrs is likewise represented by about fifty

names, aside from the unnumbered groups who shed their blood in various portions of the mission fields of pagan lands or semi-barbarous nations—China, Japan, Korea, Russia, Uganda. Particularly inspiring are these narratives of the martyred neophytes. The Acts of the early martyrs contain no more glorious testimonies to the faith than those that within our own memory have been proclaimed *ex ore infantium et lactentium* in the streets of Damascus, or in the wilds of Africa. Summoned thus from every portion and corner of the vast universal field of the Church and brought together within the relatively small compass of a volume, the conjoined lives of these saintly ones constitute an argument for the supernatural sanctity, and hence for the Divinity, of the Church that is irrefragable. Nor must it be forgotten that, while criticism may throw doubt upon the alleged multitude of the early martyrs or call into question the authenticity of these or those *acta sanctorum,* no shadow of a doubt attaches either to the names, the personalities, or the deeds of the heroes recorded in the present collection. The methods of scrutiny employed, especially in recent times, by those whose business it is to conduct the processes of beatification and canonization are unsurpassed in their critical exactness. In 1901 the Congregation of Rites published a "Catalogus ac Status Causarum Beatificationis Servorum Dei et Beatorum Canonisationis quae apud Sacram Rituum Congregationem per viam non-cultus incedunt. Typis Vaticani." In 1907 the same Congregation published another list comprising all the processes then in progress before the Congregation. Upon these lists the author has based his work, adding of course such material as has been more recently published through the *Acta Apostolicae Sedis*, the *Analecta Ecclesiastica*, and elsewhere. Readers who desire to follow up this or that particular topic are directed in their research by a copious bibliography. The volume itself is thoroughly indexed and presented in an attractive format. It is to be hoped the work will receive amongst the laity, the religious as well as the clergy, the wide circulation it so richly deserves.

GOD AND MAN. Lectures on Dogmatic Theology. From the French of the Rev. L. Labauche, S.S. Authorized translation. Vol. II: Man. P. J. Kenedy & Sons, New York. 1916. Pp. 343.

For some reason not mentioned by the translator, the second volume of the present work has been published before the first. The reviewer is not in a position therefore to indicate the aim and scope of the production as a whole. The initial volume, however, he has learned, is in process of publication, so that the reader interested

in the subject-matter may expect in due course of time to see the work entire. The volume before us comprises what may be called *supernatural anthropology*; that is, a systematic summary of rational conclusions concerning man, deduced from truths revealed by God, taught by His Church, and accepted by His and her children through the virtue of divine faith. Following this traditional teaching, man is considered first in the state of primal innocence, secondly in the state of original sin, thirdly in that of grace. Lastly comes man's future eternal state of glory in heaven or of misery in hell. These are obviously fundamental lines of exposition familiar to every student of theology, and indeed to every well instructed Catholic. The author develops them in the light of Scripture and the doctrine of the Church, unfolded and clarified during the course of ages of matured reflection in the minds of the Fathers and Doctors. The writer, it need hardly be said, is not unmindful of the views and opinions held by Protestants and rationalists on these subjects alien or contrary to Catholic teaching. And he is uniformly objective and just in his statement of them. Moreover, he evidences throughout the proverbial gift of French insight and clarity of expression. He seizes the essential elements of a doctrine or theological position and exhibits them in unmistakable distinctness. Fortunately also, the translation is perfectly translucent. Just occasionally a critical eye might notice a shadow which, whether it be due to the rendering or be taken over from the original is not apparent. Thus for instance at page 3 we read that "the fulness of [sanctifying] grace is only achieved in heaven, and whoever, in this life repeatedly resists it, places himself in the impossibility of ever receiving it." Obviously this is not to be taken literally. "The impossibility of ever receiving" God's grace does not result from repeated resistance, but from *dying* in the state of resistance. Else were there no hope for the recidive sinner. Again, at page 20, it is stated that "man was created to the image of God, and in pursuing the indefinitely true, the indefinitely good by the efforts of his nature, he is analogous to God." Rather is it in pursuing the *definitely* true and the good that human nature reveals itself as analogous to God. At least herein consists the more perfect assimilation to the Divine Exemplar. At page 126 it is said that the Holy Ghost reproduces in us the dispositions which "exist or existed in the soul of Christ." Perhaps this had better be transposed so as to read "existed and exist," as will be obvious on second thought. However, these are but slight inaccuracies and in no wise touch the substance of so superior a treatise. *Sunt accidentia non propria.*

THE SULPICIANS IN THE UNITED STATES. By Charles G. Herbermann, LL.D. The Encyclopedia Press: New York. Pp. 370.

Alexander the Great is reported to have complained that there was no Homer to sing his immortal deeds; and, no doubt, many noble achievements in the course of history have fallen into oblivion for want of one who would transmit them to posterity. The Sulpicians may, therefore, be accounted happy, since they have found an historian worthy to chronicle and perpetuate the noble works they have accomplished on American soil. For the author it was a labor of love to rescue from undeserved forgetfulness the heroic acts and fruitful sacrifices of men who did not look for earthly recognition and sought not imperishable fame. But their deeds should live for the sake of the coming generations, inasmuch as the labors of the past are an inspiration to the present. It would be superfluous to say that the author has done his work well and that he has added new lustre to the fair fame of the Sulpicians; for his name stands for sound scholarship, and is synonymous with fearless loyalty to truth and high literary merit.

The work was carried on under great difficulties, as the closing years of Dr. Hebermann were wrapped in darkness; but in spite of the loss of sight which afflicted him, he brought the undertaking to a happy consummation. What gaps and shortcomings may be discovered in its pages must be attributed to the great affliction of the author. But there is, in reality, little to find fault with; the volume presents as complete, vivid, and glowing a picture of the labors of the Sulpicians as one could wish.

The American Church owes a great debt, difficult to estimate, to the humble priests of St. Sulpice. What they have done for the education of the American clergy can never be fully appreciated. Though they have given many pious and exemplary bishops to the American hierarchy, this is as nothing compared to their educational efforts in behalf of the clergy. Everywhere in the Church of the United States we find vestiges of the direct or indirect influence of this holy company. The history of the American Church would be very incomplete, indeed, were it to disregard their missionary and educational labors. Only to mention St. Mary's Seminary and St. Charles's College is to conjure up visions of an humble activity which has brought fruit a hundredfold.

The volume constitutes a notable contribution to ecclesiastical literature; it avoids the laudatory tone sometimes so obtrusively conspicuous in publications of its kind. It will be welcomed especially by those who have been imbued with the lofty ideals of the priesthood at the feet of the humble, pious, and learned members of the Company of St. Sulpice.

A HISTORY OF THE IRISH DOMINICANS. By M. A MacInerny, O. P. Vol. I. Browne and Nolan: Dublin, 1916. Pp. 603.

This stately octavo volume is the first of a series proposed by Father MacInerny, and that promises to be a most valuable contribution to the ecclesiastical history of Ireland. The author tells us in the preface that he intends to divide his vast work into five parts, some of which may run into several volumes. The divisions are: I. Irish Dominican Bishops; II. Martyrs and Confessors; III. Provincials of the Order in Ireland; IV. Professors, Preachers and Writers; V. Priories, their Founders, Benefactors, and Vicissitudes. The tome before us tells the story of the first thirteen Friars Preacher who ruled over Irish sees; that is, the lives of the Irish Dominican bishops from David MacKelly, Archbishop of Cashel (1238-1253), to Walter Jorz, Archbishop of Armagh (1307-1311). The history of these illustrious clergymen reveals, apart from the scholarship of the author and his immense painstaking research in original sources and unpublished records, an enormous amount of material that had been hitherto untouched by any writer on Ireland or its Church, and shows that there is a wide field of history about that interesting island still waiting to be made known to the public through the industry of the patient student.

Father MacInerny's first volume manifests beyond doubt peculiar fitness for the monumental work he has undertaken. He has gathered together a world of interesting information, which he has sifted with a thoroughness not unworthy of a Denifle, and presented in a highly entertaining manner. Because of the vast difference between the life and thought of the distant past and those of our day, this first part of Father MacInerny's work was especially difficult; yet, unless we are greatly deceived, not even the most critically disposed will venture to find fault with the way in which he has approached his subject, or with the manner in which he has acquitted himself of his trying task. He has given the world just such a book as the historian revels in. The portly volume is too extensive, and too well done as a whole, for us to single out any particular portion for special attention. We are not at all astonished to learn that it has created something of a sensation in Ireland, even in these troubled times; for it has necessitated a resetting and a restatement of Ireland's medieval history. The author's love of truth and spirit of fairness are delightful; his keen penetration and wide erudition, that can be discerned on almost every page, are remarkable. The influence the Friars Preacher are known to have exerted on the Irish Church and Irish history, and the masterful way in which Father

MacInerny has written his first volume, lead one to except many surprises, as well as much pleasure, in the perusal of the remaining books of his great work as they come from the press.

V. F. O'D.

THE VENERABLE DON BOSCO, APOSTLE OF YOUTH. The Founder of the Society of St. Francis of Sales. A Sketch of His Life and Works. By M. S. Pine, author of "Alma Mater and Other Dramas," "John Bannister Tabb, the Poet Priest." Salesian Press, Don Bosco Institute, Philadelphia. 1916. Pp. 195.

On 7 December, 1916, the Holy Father Benedict XV assigned to the Congregation of Rites the matter of carrying on the process of canonization of the Venerable John Bosco. The founder of the various Salesian institutes, including a society of priests, a congregation of women under the title of "Mary Help", and an apostolate of lay workers, looms large in the modern sky of philanthropic activity as interpreted by Christian charity. For nearly half a century he devoted himself with heroic pastoral zeal to the rescue work of boys; and during the last twenty years of that period it was his privilege to inspire numerous noble souls with the sublime spirit of self-sacrifice for which he had a special genius. The secret of his wonderful success was simply a generous and broad-minded love which made him tolerant of the faults of others without making him cease to hate sin. He would see nothing hopeless in the heart of a boy, because the will and character had not yet been formed there for evil; and being still plastic, it was only a question of shaping the wayward temper by a sincere and ingenious affection that knew how to devise means and ways to attract it to the light and warmth of Divine teaching. He drew to himself the most abandoned and ill-conditioned, engaged their affections by his benevolence, searched and interested their dormant faculties of mind and heart, and by gently correcting their misdirected tendencies made them useful members of society.

Thousands of boys have come forth from the refuges and schools of Don Bosco to take up the apostolic work in Italy, France, Spain, Portugal, Germany, England, and America, and the fruits of the humble tree planted in Turin seventy years ago have been a blessing to our generation the world over. The contemplated process of beatification will make John Bosco an efficient patron saint of modern social reform; for his zeal, whilst exercised for the most part in behalf of abandoned boys, became infectious and created numerous works of kindred enterprise, such as night schools, Catholic press propaganda, industrial training, sodalities, and other organized methods to diffuse the light of religion, lessen sin, direct youthful

talent, while nourishing the peace and comfort which comes from faith.

Nothing is more instructive in this singularly successful career of an humble priest than the trials and failures which he had to go through in following the light of his sacred convictions. All this makes it worth while for the priest and cleric to read and study the story of Don Bosco.

Numerous monographs and biographical sketches have appeared since his death, especially in France, Germany and Italy—by Du Bois, Villefranche, Francesia, Fabre, Janssen, Mehler. Our English literature has thus far had only scanty lights in the form of translations and adaptations in articles and tracts. We therefore welcome the present larger biography. M. S. Pine, already known through an attractive sketch of the life of Father John Tabb, the "poet priest", and other literary gems, has made an interesting study of Don Bosco's career. It breathes the fragrance of religious motive. The name, M. S. Pine, is indeed, we believe, merely a veil intended to divert public attention from the real author, a gifted nun of the Visitation Convent at Georgetown, where, as in other similar institutes, much talent and virtue send up their offerings to heaven. In any case the work is well done and deserves popularity, if it were only for the magnificent apostolate which it advocates. The book is, we believe, at a disadvantage so far as advertising its sale is concerned, in being issued by a local religious house, though the purpose of the Salesian Press in promoting home industry is of course clear.

HOSANNA. Catholic Hymn Book, with Appendix of Prayers and Devotions. By Ludwig Bonvin, S.J. Op. 97. With the Approbation of the Right Reverend Bishop of Buffalo and the Superiors of the Order. Fourth edition, fully revised and augmented. B. Herder, St. Louis. Pp. 254.

A fourth edition of *Hosanna* has been published to answer a local need, before the third edition is exhausted. We desire to direct attention to it, partly because we have not had occasion to do so for any of the earlier editions, partly because the present issue makes important changes in the manual, and especially in the text of some twenty hymns, making the old versions void. This affects also the *Organ Accompaniment* published in connexion with the hymnal. These and other changes have been introduced for the purpose of adapting the hymn book rather to children's choirs, convents, schools and colleges, than to large congregations. For a similar reason the Sodality Devotions have been added, including a method of hearing Mass in common, and prayers for general Communion.

There is no need to emphasize the special merits of Father Ludwig Bonvin's manuals. As is evident from the various hymnals from his hand, *Sursum Corda, Cantemus Domino, Psallite*, they aim at filling every requirement of a practical handbook for congregational singing and an intelligent appreciation of the liturgical as well as the devotional services of the Catholic Church. The style of publication is both attractive and clear, so as to remove every possible difficulty in learning the melodies and following the text.

TWENTY-SECOND ANNUAL REPORT OF THE SUPERINTENDENT OF PARISH SCHOOLS OF THE ARCHDIOCESE OF PHILADELPHIA. For the year ending 30 June, 1916. Published by the Diocesan School Board. Philadelphia: The Dolphin Press. Pp. 160.

The high standard of excellence and the eminently practical suggestiveness that have always characterized the Annual Report sent forth by the Superintendent of Parish Schools in the Archdiocese of Philadelphia is, it need hardly be said, fully sustained by the latest issue covering the scholastic year 1915-1916. The present is the twenty-second of the entire series and the seventeenth to proceed from the pen of the Right Reverend Philip R. McDevitt, until recently the Philadelphia Superintendent and at present the Bishop of Harrisburg. Bishop McDevitt hands over to his successor in office the Diocesan school system in what may be called a relatively flourishing condition. The total enrollment of pupils is about 80,000, for which there are 158 schools conducted by a total of 5,020 teachers. The past year saw six new schools opened and a net gain of 3,548 pupils. Besides these marks of progress, the Report mentions a new High School for Boys which is now being erected in West Philadelphia, and which, whilst affording accommodation for pupils dwelling in that portion of the diocese, will leave the present Cahill school scope for increased efficiency.

Although these and other indications of progress are full of encouragement, the Bishop does not fail to direct attention to certain elements of weakness that demand serious attention. And since these elements are not restricted to Philadelphia but are general, perhaps universal, in our school system, it will not be alien to the scope of the present review to instance one or other of them here. The principal element of weakness is the falling-off of attendance in the upper grades. Only 8.81 per cent of the Catholic children are in the seventh and eighth grades of the parish schools, while the public schools of Philadelphia have 12.59, and the public schools of the country have 13.99 per cent of their total enrollment. This means that, while the parish schools out of every one hundred pupils have a

little more than eight pupils in the upper grades, the public schools of Philadelphia have more than twelve and the public schools of the country have almost fourteen. A still "more startling truth" to be gleaned from the tabulation of percentages is that "82.56 of the children in the parish schools of the Diocese of Philadelphia are in the first five grades" (p. 11).

The logic of this situation is pointed out in the present Report. "Either great numbers of Catholic children are in public schools or great numbers are in no school, public or parish. . . . If Catholic children are in public schools in large numbers, then disastrous consequences are inevitable in the life of those Catholics who have not received adequate religious education. If large numbers are in no school, then the whole Catholic body will suffer, because it is unreasonable to think that Catholic principles, Catholic teaching, and Catholic opinion will be forces for right, justice, and truth, if a notable number of Catholics by reason of an inferior education are unable either as Catholics or as citizens to play the definite and responsible rôle which every citizen should fulfil in the destiny of America" (p. 13). Although the obvious cause of the falling-off in the upper grades is the relatively poorer circumstances of the Catholic body as a whole, this is by no means the only, if indeed the main, reason. For, "after due allowance is made for the material prosperity or the lack of it among Catholics . . . it may be truthfully asserted that certain Catholic children are not receiving the education they ought to receive, simply through the greed or the indifference of parents or their lack of appreciation of the importance of a training beyond the acquisition of the elementary knowledge of the three R's".

An apology for this scholastic situation is sometimes heard in quarters where one would hardly expect it, to the effect that good rather than evil will result from Catholic children being thrown into a non-Catholic environment; it will make them more robust, and aggressive. While it may be true that occasionally a vigorous nature or one surrounded by edifying home conditions may be helped, or at least not apparently harmed, by frequenting secular institutions, nevertheless on the whole both general psychological forces and the teachings of experience prove that to place youth at its most susceptible period under the non-religious and irreligious influences of secular schools is to court disaster. For one that comes out unscathed, two, if not more, will be injured. Recently we learned through the public press that a canvass among more than 5,000 scientists elicited the information that more than one-half of this number expressed disbelief in the existence of God and in the immortality of the soul. Now though it is consoling to know that these men are not the *real*

scientists, the great leaders, the Newtons and the Lord Kelvins, in the march of science, it is nevertheless all too certain that they are the influential forces, the professors, the teachers, those who mould the minds and largely the lives of our youth. Moreover, if accurate statistics were forthcoming, they would without doubt establish the fact that the leakage from the Church takes place from the ranks of the youth during the period between their leaving school and the time of their settling down to their life business.

But what are the remedies proposed for the deplorable evil? Obviously they lie with parents. But since Catholic parents can be enlightened and urged to their duties only by the influence of the priest, it rests with the latter to cope with the difficulty. It would be interesting and instructive to quote Bishop McDevitt's ideas on the relation of the priest to Catholic education at the present day. But our spatial limitations forbid. Needless to say, the suggestions he offers are, even if not new, eminently wise, sane, and practicable. No less so are his remarks on the functions of the seminary respecting Catholic education. Unless the young levites are thoroughly convinced of the supremely vital importance of the parish school system, they will be as priests neither zealous nor intelligent to labor for its conservation and development. Bishop McDevitt does not argue for the conversion of the seminary into a pedagogical institution; but he does make a strong plea for adequate insistence on the principles and methods of a sound Catholic educational system, as well as upon proportionate instruction to be imparted to seminarians regarding the problems agitating the educational world of to-day. For this he finds a firm support in the teaching of the Council of Baltimore which ordains that "all students of theology in the seminary shall be carefully taught that one of the chief duties of priests . . . is the Christian education of youth, and that without schools which are really Catholic such an education is not possible. In the teaching, therefore, of psychology, pedagogy, and pastoral theology, special application should be made of these branches to the instruction of youth."

Literary Chat.

We hope to publish in the March number an authoritative canonical commentary on the recent decree of the Consistorial Congregation concerning the method of proposing names of candidates for bishoprics in the United States.

Father Henry Schuyler has added to his attractive series on the Virtues of Christ a new volume, *The Sacrament of Friendship*. The purpose of this treatise is to point out that, while Christ is the model of Christian perfection, He is also the source and support of that perfection for those who aim at it. We acquire the energy and courage necessary to persevere in the path of the imitation of Christ from contact with the Holy Eucharist. Hence the advantage of rightly appreciating the service of the Real Presence by our adoration and reception of the Adorable Body and Blood of our Lord. The twelve chapters of the book lead from adoration to union with Christ, which is the sum of all perfection (Peter Reilly, Philadelphia).

It is a pity *Uncle Frank's Mary* did not come to this office in time to introduce her to Santa Claus. The kindly old man might have chuckled with delight at the joy he would occasion among children of all ages and conditions by bringing them so lovable a visitor. Little Mary, and much littler Bertha, are delightful creations—types of sound goodness which English-reading youth will be the better for having met; while Uncle Frank is a whole-souled character, big and generous and kindly—the sort of a man children instinctively love. All the personages are well drawn. They are natural and move naturally through the plot and scenes. There is plenty of "action"; the interest never flags, for there is always something doing and something suspended ahead. And yet all is symmetrical, well balanced, and the spirit is true, sincere, wholesome, but not goody-goody. The book is the first of a series by "Clementia", a Sister of Mercy in St. Patrick's Academy, Chicago. The authoress has written a number of plays adapted for schools. The present, her first, book promises to give her in the rank of story-writers for girls a place, *mutatis mutandis*, parallel with that occupied by Father Finn amongst those who tell stories for and to boys. (M. A. Donohue & Co., Chicago.)

The verses of *The Valley of Vision*, by Blanche Mary Kelly, have the aroma of true poetry. Inspiration, patriotic and devotional, touches the strings of her harp and makes them answer with sad sweet story the traditional longings of the children of Erin. Amid snatches of ancient Celtic myths we hear now prayer, and now the merry ring of the colleens' rhythmic joy and the lilt of the lads who swing to the old fiddler's tune on the village green of a summer evening. We look for more of such glimpses of the Anglo-Irish muse who hides her face in dear old Ireland. (New York: Encyclopedia Press.)

Searchlights of Eternity are memoranda by the late Father William Pardow, S.J. They embody reflections, desultory but sound and original, on some aphorism or other that formulated itself under the writer's observation of spiritual growth around him. He illumined principles, truths, facts and fallacies of the ordinary philosophy with the searching discernment of the director of souls. In their present form, grouped under catching titles, these interpretations will serve the writer, the preacher and instructor on topics of religion and morals. There is a tone of the practical in the comment, which was characteristic of Father Pardow, and in itself creates the impression that the sole business of our lives is to safeguard the interests of our souls by the means which lie ready about us at all times. (New York: Encyclopedia Press.)

Father Gavan Duffy's exquisite appeal to the Christian heart for sympathy in behalf of the Foreign Missions, published last year by the Devin-Adair Company under the title of *Yonder?*, appears in a new edition, illustrated and bound in an attractive paper cover. The price has been reduced to one-half, and the proceeds are to go to the benefit of the India mission work in which Father Duffy is engaged.

Some years ago Burns & Oates in England (B. Herder: St. Louis) published a Missal (compiled from the *Missale Romanum*) for the use of English-speaking Catholics. Later on, Benziger Brothers (New York) improved upon what had seemed to be a very satisfactory version. Theirs was a more complete edition with rubrical directions and introductory explanations by Fathers Lasance and Schulte. These Mass books were welcomed not merely because they offered definite guidance in the liturgy, but also because they served as a handy prayer book for all occasions conformable to the typical worship of the Church.

The most recent advance in this field of popular liturgy is the *Mass Book for Every Day in the Year* (The Home Press, New York), prepared by the Rev. Dr. Pace and Father Wynne, S.J. It is an extension of the *Mass Book for Sundays and Holydays*, by Father Wynne, published a year ago, and is remarkable for its careful translation, its simple and concise rubrical comments introducing or accompanying the text, and its clear style of typography. In bulk it is somewhat larger than the Benziger and Herder Missal; but this will be no hindrance to its acceptance with those to whom the exercise of devotion weighs above convenience.

There is ample room for individuality in the spiritual life, since grace accommodates itself to our natural endowments and temperaments. A touch of variety and a closer adaptation to personal needs make devotional exercises more attractive and impart to them a greater zest and vividness. Hence it is that prayer books intelligently adapted to the special requirements and tastes of certain classes prove so popular. With great psychological insight the Rev. Thomas S. McGrath has compiled two neat little volumes of meditations and prayers for soldiers and policemen respectively. (*The Catholic Policemen's and Firemen's Companion; Catholic Soldiers' and Sailors' Companion.* Benziger Brothers, New York.) The author strikes a note of manly piety which will appeal to men engaged in arduous and hazardous occupations that call to the front the virile and sterner elements in a man's character.

Enlightenment on the great truths of salvation is sorely needed in our days. To be successful, instruction must avoid a didactic tone and endeavor to please whilst it conveys information. Father M. V. McDonough seems to have discovered the secret of pleasing and teaching at the same time. *The Fall of Man* is a little booklet crammed with useful and edifying information, yet delightful to read. In the hands of converts and eager Catholics it will do much good. The profits of the sale of the book go to the Poor Clares in Boston. (John Murphy Company, Baltimore.)

A Daughter of Mexico (A Historical Romance Founded on Documentary Evidence. By Dr. A. E. Breen. John P. Smith Printing Company, Rochester, New York) is, in some ways, a strong book, though one is puzzled how to classify it. The purpose is too apparent to be compatible with true art, and the construction of the plot is rather loose and without compelling force. Apart from these defects, which possibly the great majority of readers will overlook, the book gives evidence of a high degree of literary craftsmanship, of a lofty moral idealism, and an uncompromising hatred of every form of wrong and injustice. The lamentable conditions in Mexico are described in very effective colors and with a directness and vividness that grip the heart and rouse vehement indignation against the parties who have brought such untold woe and misery on an unfortunate and helpless people. The end is tragic to such an extent that it almost staggers the imagination. The story is well calculated to create public sentiment in favor of those who suffer innocently in our sister Republic.

If the Philadelphia Centre of the Catholic Theatre Movement had nothing else to its credit save the *Juvenile Play Catalogue* which it has recently issued

under the expert editorship of Miss Katherine Brégy, it would have done splendid work. Of course it has accomplished much meritorious good on other lines, but we single out the catalogue just mentioned, because of its unique value and its special significance for the educational institutions in which the clergy are immediately interested.

It is of course a universally recognized fact that the drama is not simply a vehicle of amusement; neither is it merely a financially profitable adjunct to the parish equipment. It may have these features and yet include cultural and uplifting efficiency as well. Its possibilities are made manifest by a glance over the present list of plays. Here we find musical plays and operettas, religious and historical plays, classical and mythological plays, masques, etc., fairy plays and folk lore, German plays, French plays, and a considerable variety of miscellaneous plays. There are more than two hundred in all, not simply mentioned but evaluated with helpful suggestions for staging, etc. There are plays for girls, for boys, for mixed castes; plays for the tots, and plays for the youth of high school and college; plays which take ten minutes and plays long enough for an entire evening. Hence, all sorts of tastes and circumstances of time and conditions have been considered. The list is simply invaluable for those who have in hand the education of children and young people. The pamphlet may be had for a small sum by applying to the general secretary of the Centre, the Rev. John Wheeler, 21 South Thirteenth Street, Philadelphia.

In connexion with the above repertory of dramatic literature for youth we would direct special attention to a play for boys, *The Boy-Martyr of the Blessed Sacrament*, a drama of the Catacombs in four acts, by Charles Phillips, author of *The Divine Friend* (published by St. Francis School, Watsonville, California). The presentation of characters and the setting are excellent, and the language has a classical ring and is at the same time thoroughly devotional. The incidental music, composed by the Franciscan Father, Florian Zettel, serves the double purpose of illustrating the play and making the plain chant stand out as the parts that belong to the Catholic primitive service. We should have more plays of this kind, so as to inform the Catholic boy's mind and heart with the images of Catholic liturgy and Catholic doctrine. They should be true to history, and raise the ideals of our youth to a higher plane than that on which the moving-picture show leaves them.

The *Ordo* for the Diocese of Indianapolis, 1917, maintains the excellent qualities of special service to the diocesan clergy which have been noted year after year in our pages. Monsignor Gavisk is responsible for its make-up as heretofore.

A slender brochure of some three-score pages and bearing the title *The Golden Key* contains a series of familiar talks with the young, by Father Frederick Lynk, S.V.D. The style is bright and cheerful, touched with the spirit which children instinctively catch and yield to. The lessons inculcated are edifying, simple, natural. There are twelve illustrations, all neat and appropriate. The booklet should be widely spread amongst the children. It is published by the Mission Press, Techny, Illinois.

Gerald de Lacey's Daughter, by Anna T. Sadlier, is an entertaining historical romance of Puritan times in New England. Among the interesting figures introduced is that of the Jesuit Father Harvey, a zealous missionary who labored among the Iroquois Indians and found means as well to minister now and then to the persecuted Catholics of Colonial days. (P. J. Kenedy & Sons.)

Books Received.

THEOLOGICAL AND DEVOTIONAL.

SERMONS AND SERMON NOTES. By the Rev. B. W. Maturin. Edited by Wilfrid Ward. With portrait. Longmans, Green & Co., London and New York. 1916. Pp. xxx-305. Price, $2.00 *net.*

THE LILY OF ISRAEL. The Life of the Blessed Virgin. By the Abbé Gerbet. Revised edition. With a Foreword by the Rev. William Livingston. P. J. Kenedy & Sons, New York. 1916. Pp. viii-345. Price, $0.75.

ST. DOMINIC AND THE ORDER OF PREACHERS. By John B. O'Connor, O.P. Bureau of the Holy Name Society, 871 Lexington Ave., New York. 1916. Pp. 193. Price: paper, $0.35; cloth, $0.75.

ILLUSTRATIONS FOR SERMONS AND INSTRUCTIONS. Definitions, Word-Pictures, Exemplifications, Quotations, and Stories, Explanatory of Catholic Doctrine and Practice. Gathered from the Sacred Scriptures, from the Works of the Fathers and Saints, and from the Writings of recent Authors and Preachers of Note. Edited by the Rev. Charles J. Callan, O.P. Joseph F. Wagner, Inc., New York. 1916. Pp. vi-378. Price, $2.00 *net.*

THE VENERABLE DON BOSCO, APOSTLE OF YOUTH. By M. S. Pine, author of *Alma Mater and Other Dramas* and *John Bannister Tabb, Poet-Priest.* Salesian Press, 507 S. Ninth St., Philadelphia. Pp. 194. Price, $0.75.

GOD'S FAIRY TALES. Stories of the Supernatural in Every-Day Life. By Enid M. Denis. Sands & Co., London; B. Herder, St. Louis. 1917. Pp. 224. Price, $1.10.

THE GOLDEN KEY AND OTHER TALKS WITH THE YOUNG. By Frederick M. Lynk, S.V.D. With twelve illustrations. Mission Press S.V.D., Techny, Illinois. 1916. Pp. 64. Price, $0.12 *postpaid.*

L'ÉGLISE. Par A.-D. Sertillanges, Professeur à l'Institut catholique de Paris. Deux volumes. J. Gabalda, Paris. 1917. Pp. 318 et 358. Prix, 8 *fr.* les 2 vol.

PHILOSOPHICAL.

A BOOK OF ESSAYS. By Monsignor Robert Hugh Benson. With a Memoir by the Rev. Allan Ross, of the London Oratory, and a Foreword by the Rev. C. C. Martindale, S.J. Catholic Truth Society, London; B. Herder, St. Louis. 1916. Price, $0.70.

BEAUTY. A Study in Philosophy. By the Rev. Aloysius Rother, S.J., Professor of Philosophy in St. Louis University. B. Herder, St. Louis. Pp. 137. Price, $0.50.

THE DAWN OF A NEW RELIGIOUS ERA AND OTHER ESSAYS. By Dr. Paul Carus. Revised and enlarged edition. Open Court Publishing Co., Chicago and London. 1916. Pp. vii-131. Price, $1.00.

ENFORCED PEACE. Proceedings of the First Annual National Assemblage of the League to Enforce Peace, Washington, 26-27 May, 1916. With an Introductory Chapter and Appendices Giving the Proposals of the League, Its Offices and Committees. League to Enforce Peace, 70 Fifth Avenue, New York. Pp. 204.

SHAW'S "APOLOGETICS". By Daniel A. Lord, S.J. SUPPOSE DICKENS RETURNED. (Vol. XIV, No. 23—*The Catholic Mind*—8 December, 1916.) The America Press, New York. Pp. 24. Price, $0.05; $1.00 a year.

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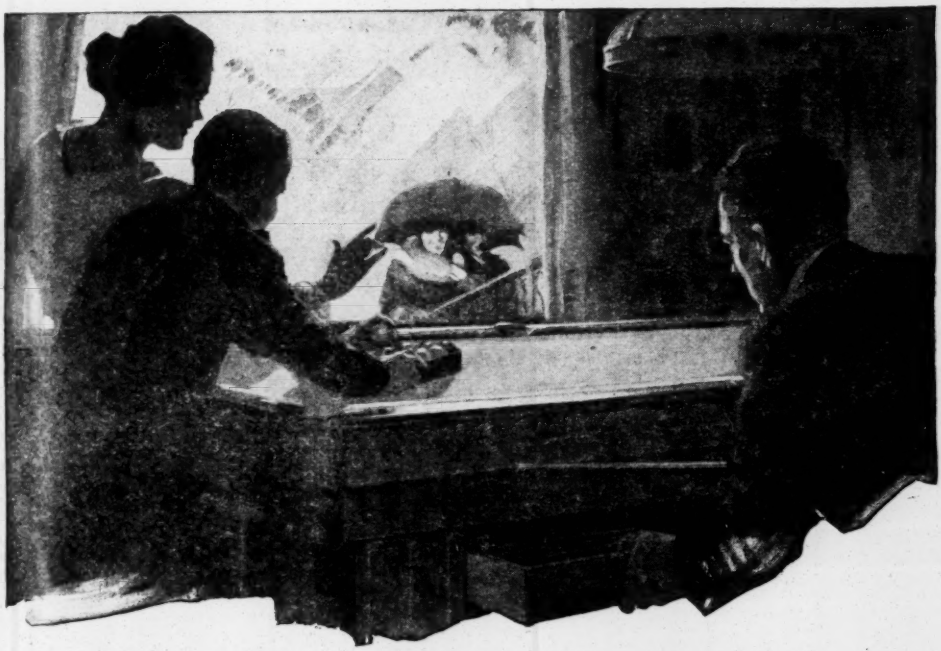

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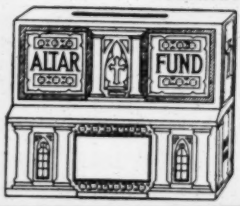

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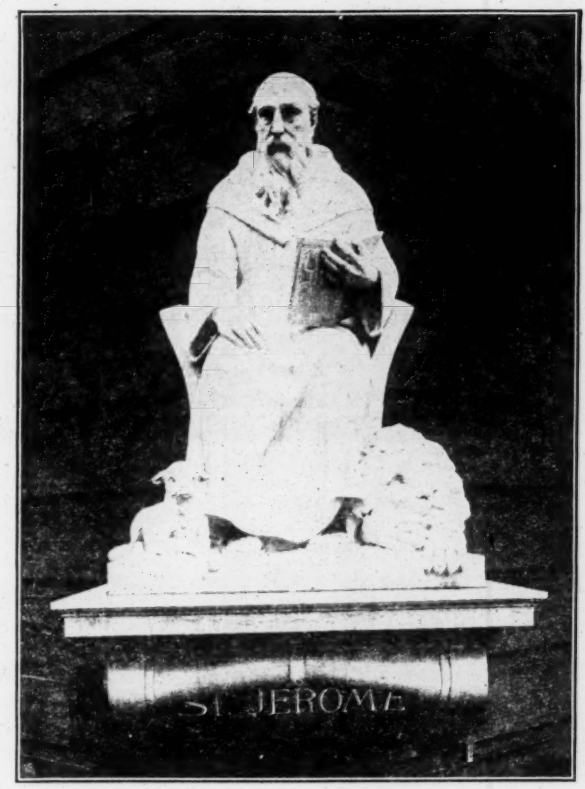

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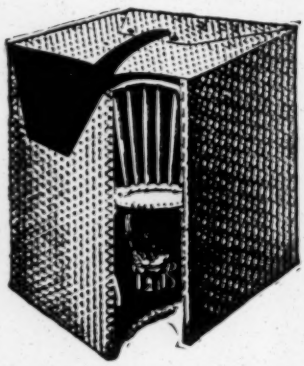

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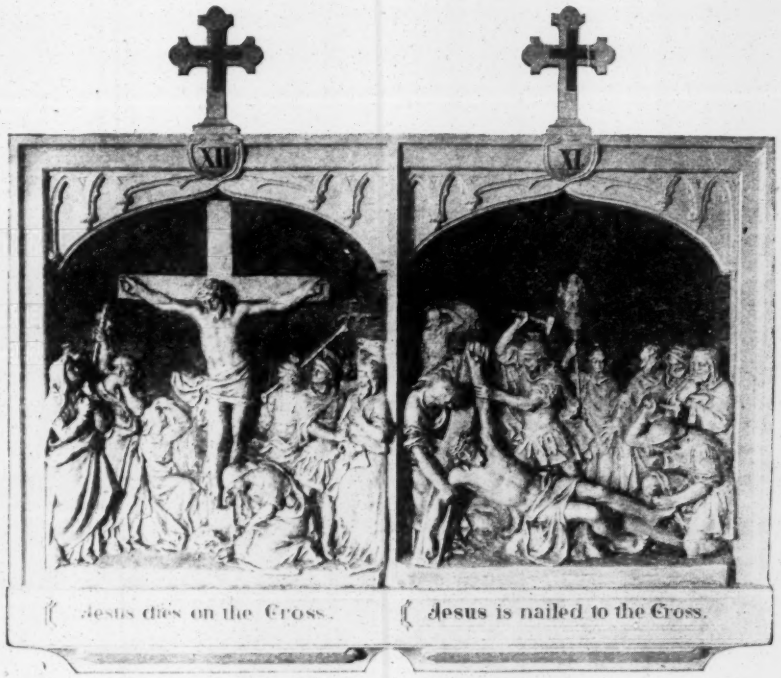

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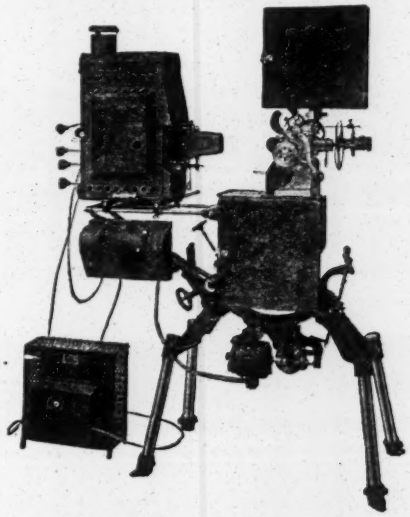

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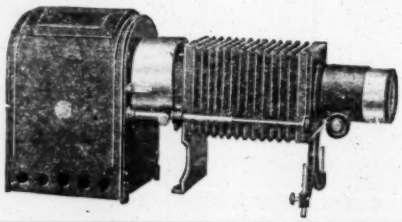

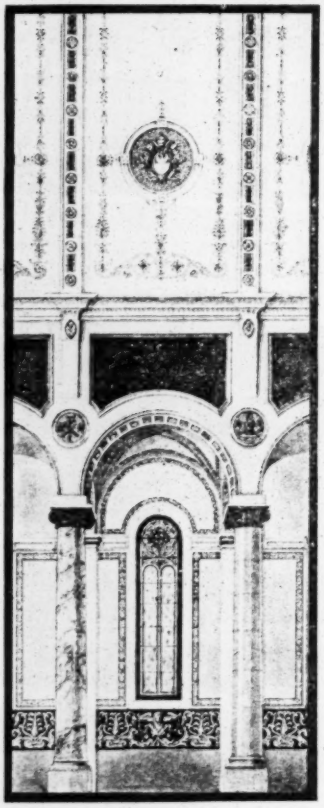

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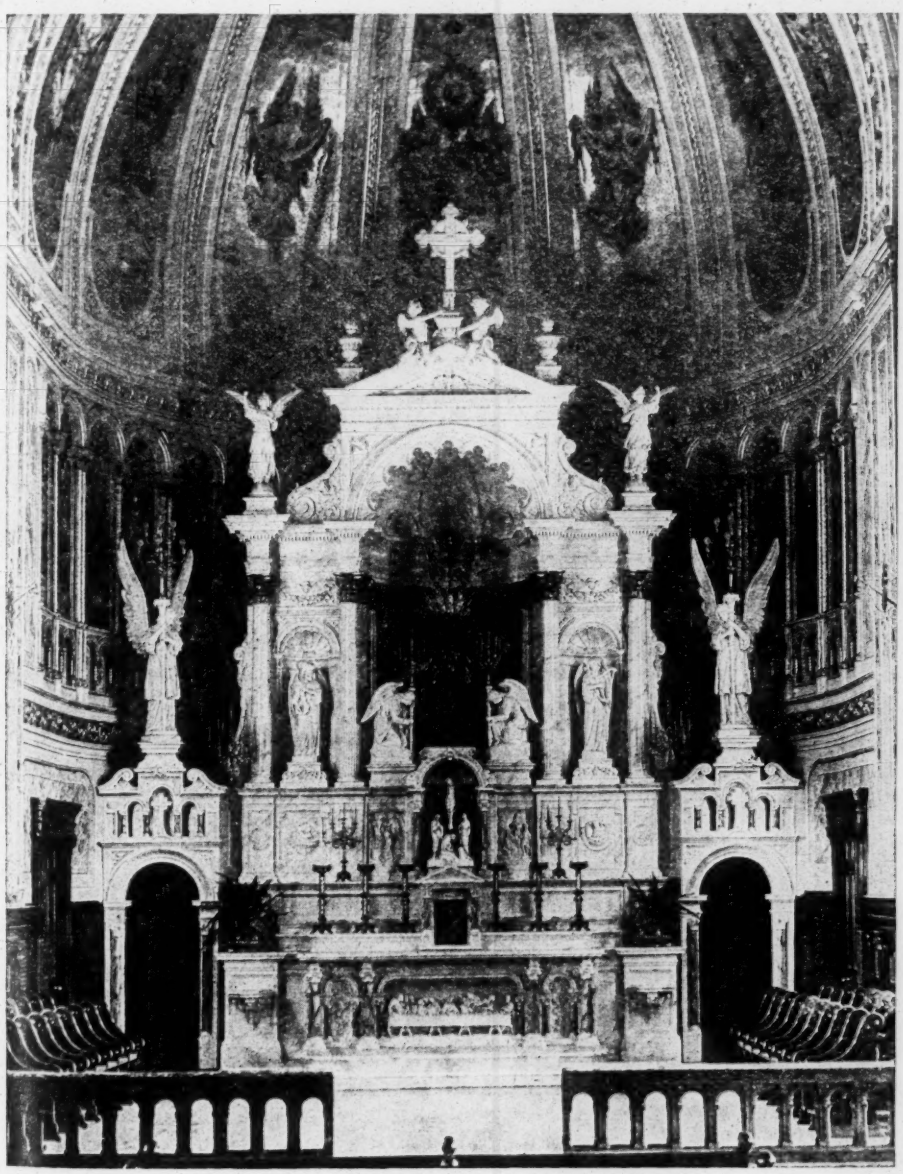

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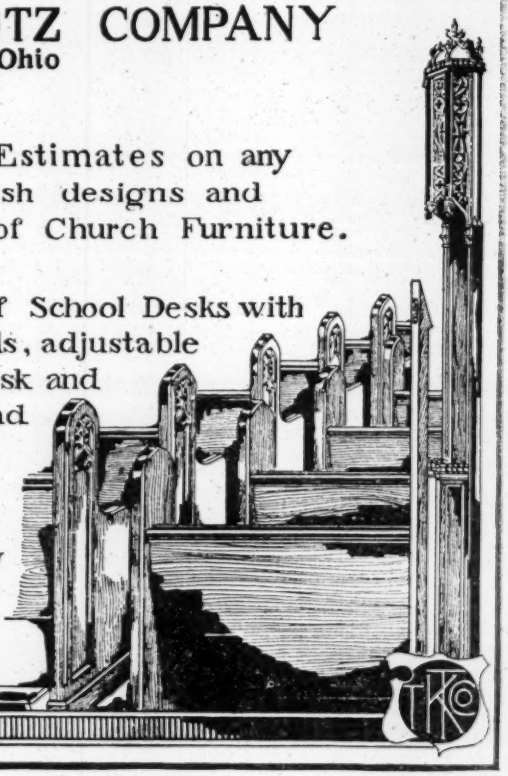

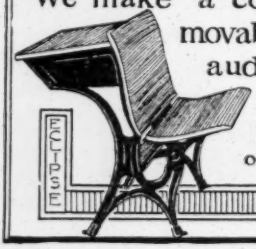

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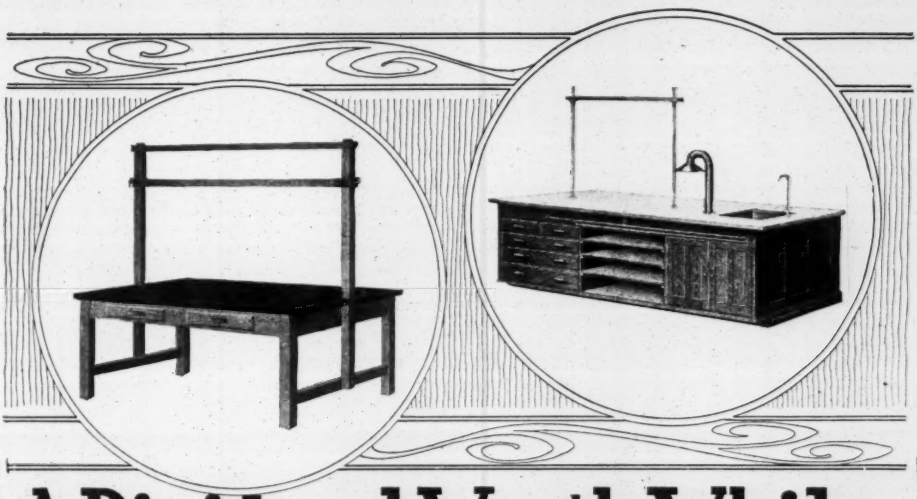

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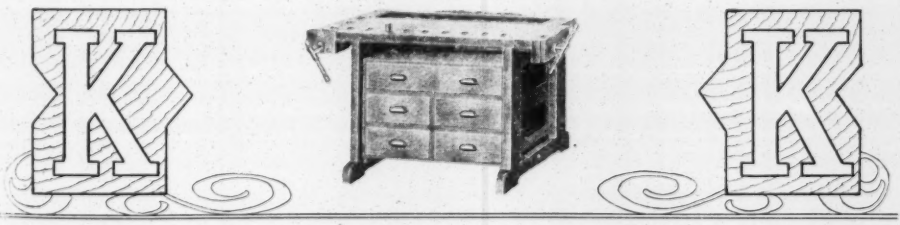

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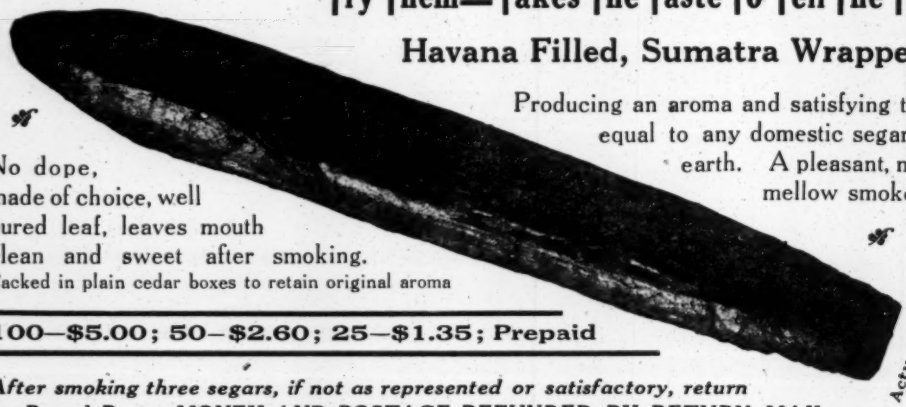

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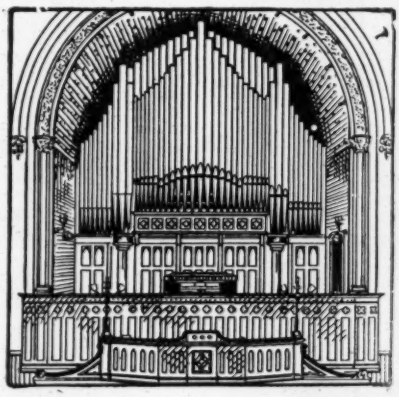

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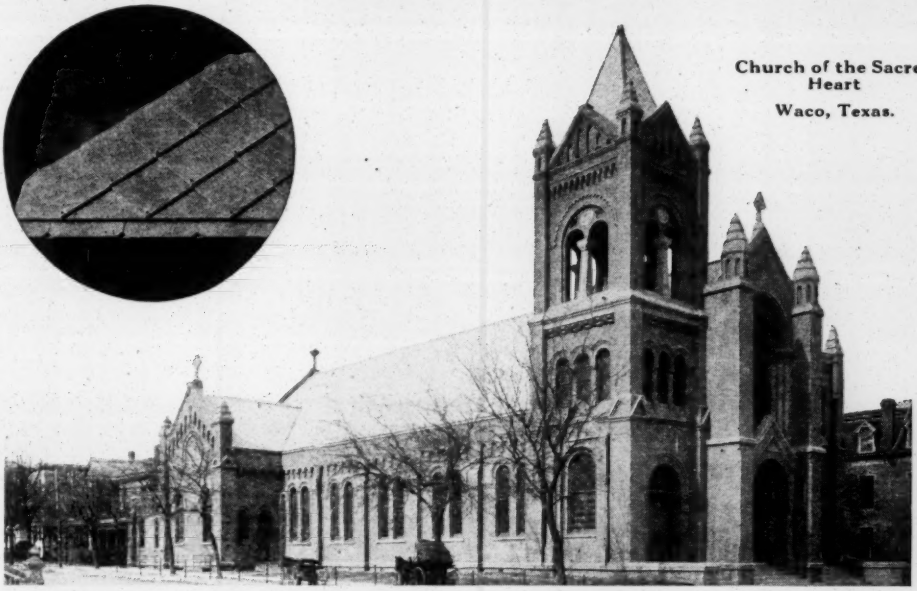

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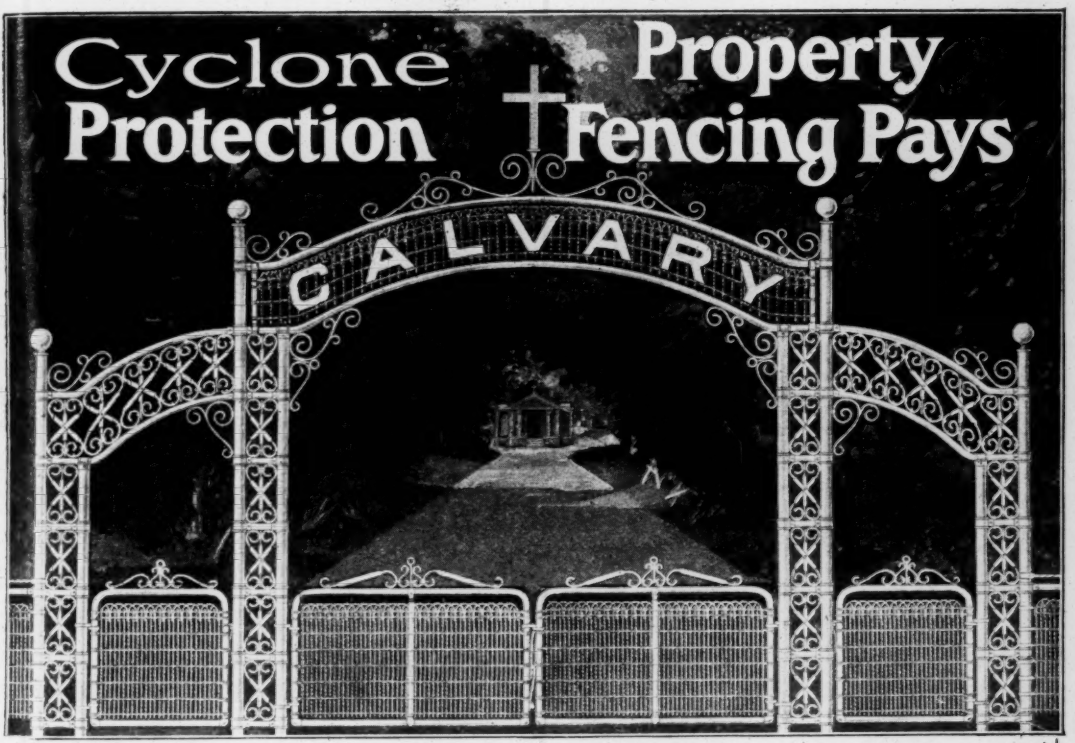

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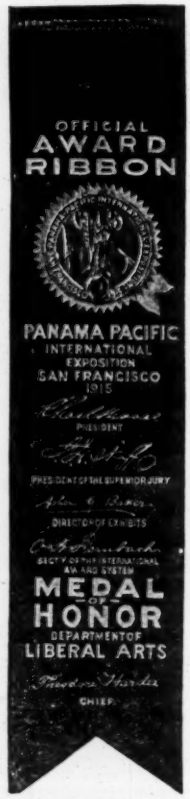

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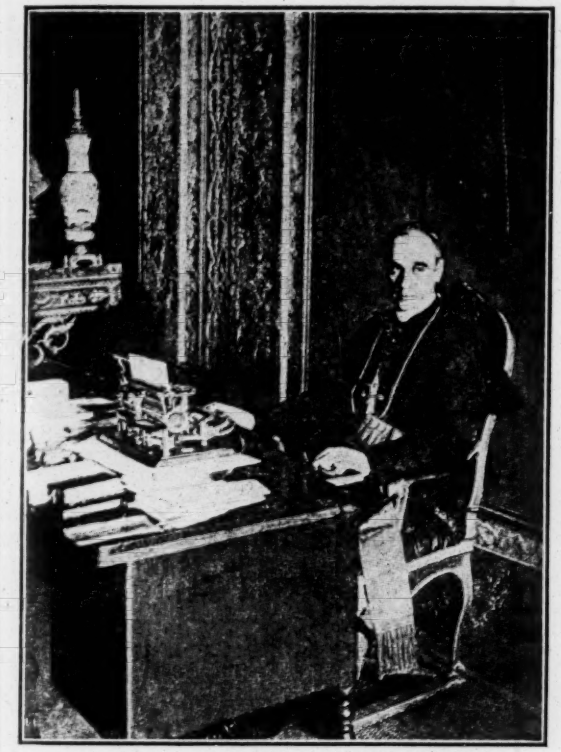

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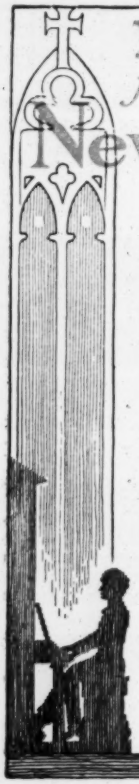

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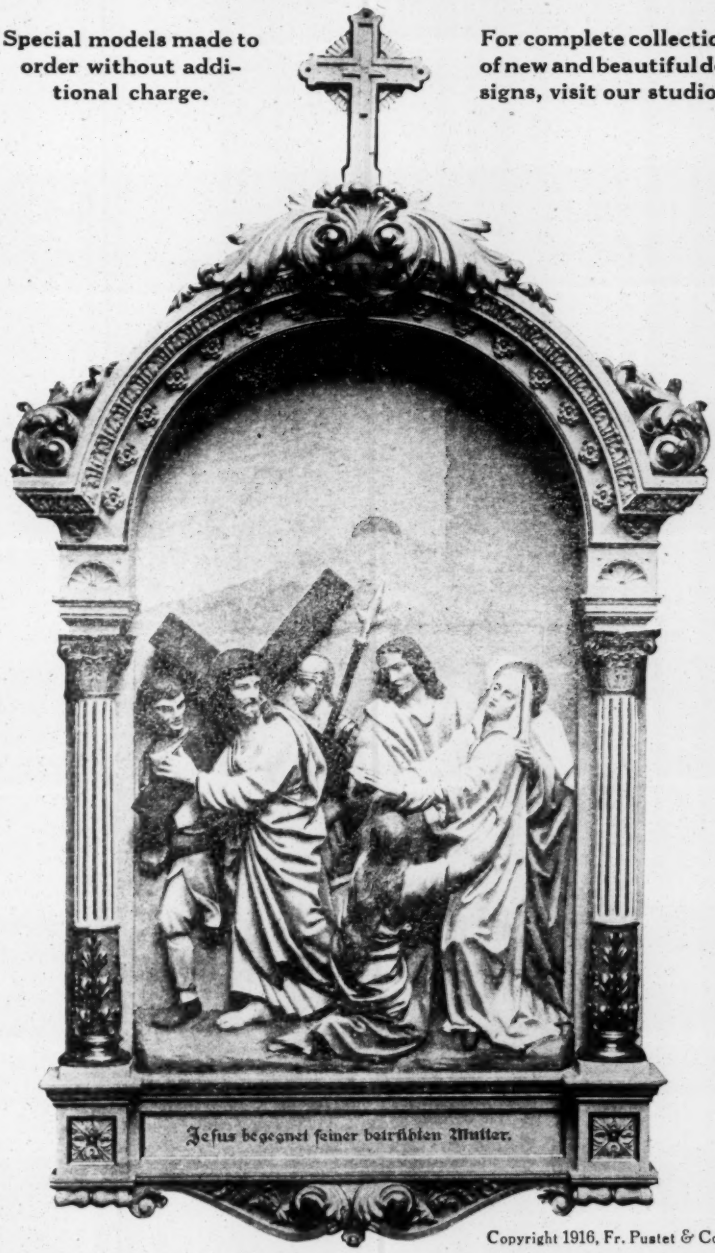

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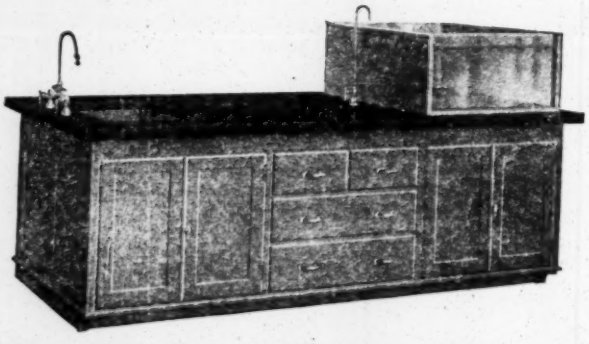

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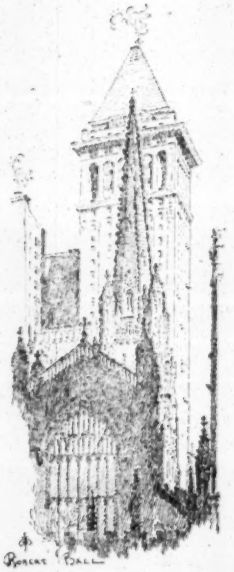

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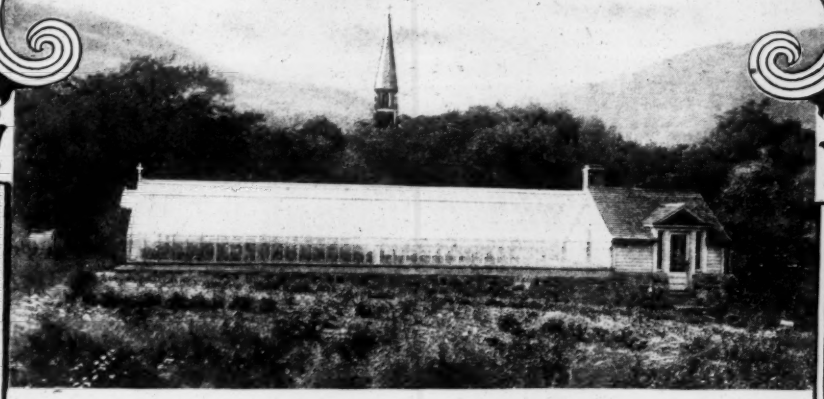

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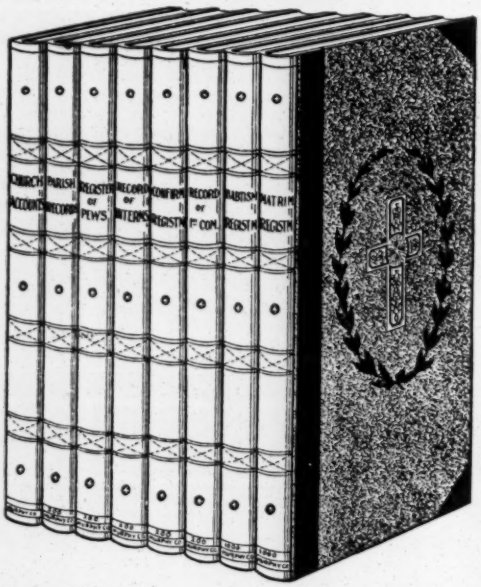

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